



Village of Brookfield

8820 Brookfield Avenue • Brookfield, Illinois 60513-1688
(708) 485-7344 • FAX (708) 485-4971
www.brookfieldil.gov

VILLAGE PRESIDENT
Michael J. Garvey

VILLAGE CLERK
Brigid Weber

BOARD OF TRUSTEES
Catherine A. Colgrass-Edwards
Ryan P. Evans
C.P. Hall, II
Kit P. Ketchmark
Brian S. Oberhauser
Michael A. Towner

VILLAGE MANAGER
Riccardo F. Ginex

MEMBER OF
Illinois Municipal League
Proviso Township
Municipal League
West Central
Municipal Conference

TREE CITY U.S.A. Since 1981

HOME OF THE CHICAGO
ZOOLOGICAL SOCIETY

VILLAGE OF BROOKFIELD
BROOKFIELD, ILLINOIS 60513

BROOKFIELD VILLAGE BOARD MEETING AGENDA

**Monday, July 25, 2011
6:30 P.M.**

**Edward Barcal Hall
8820 Brookfield Avenue
Brookfield, IL 60513**

- I. OPENING CEREMONIES: Pledge of Allegiance to the Flag
- II. Roll Call
- III. Appointments and Presentations
- IV. PUBLIC COMMENT – LIMITED TO ITEMS ON OMNIBUS AND NEW BUSINESS ON TONIGHT'S AGENDA
- V. OMNIBUS AGENDA
 - A. **Approval of Minutes:** Village Board Meeting Monday, July 11, 2011; Committee of the Whole Meeting, Monday, July 11, 2011

VI. REPORTS OF SPECIAL COMMITTEES

Trustee Hall	Chamber of Commerce
Trustee Oberhauser	Conservation, Special Events
Trustee Edwards	Recreation, Plan Commission, Senior Liaison
Trustee Ketchmark	Administration, Public Safety, Zoning
Trustee Towner	Public Works, Finance <ul style="list-style-type: none">o Corporate Warrant #977o Recreation Warrant #256
Trustee Evans	Beautification, Library
President Garvey	Economic Development, Brookfield Zoo, WCMC

VII. New Business

- A. **Ordinance 2011-40** – An Ordinance Amending Chapter 3 of the Village of Brookfield Code of Ordinances to Increase the Maximum Number of Class 8 Liquor Licenses
- B. **Ordinance 2011-41** – An Ordinance Amending Chapter 7 entitled Businesses, Trades and Occupations of the Code of Ordinances Village of Brookfield, IL Regulating Solicitors
- C. **Resolution 2011- 846** – A Resolution Authorizing the Execution of a Consulting Agreement between GCG Financial, Inc. and the Village of Brookfield, IL
- D. **Resolution 2011-847** – A Resolution Approving an OSLAD Bid Award for the Village of Brookfield, Illinois

VIII. Managers Report

IX. Adjournment

VILLAGE OF BROOKFIELD
BROOKFIELD, ILLINOIS 60513

JOURNAL OF THE PROCEEDINGS OF THE PRESIDENT AND THE BOARD OF TRUSTEES
AT A REGULAR VILLAGE BOARD MEETING

HELD ON MONDAY, JULY 11, 2011
IN THE BROOKFIELD MUNICIPAL BUILDING

MEMBERS PRESENT: President Michael J. Garvey, Trustees Catherine Edwards, Ryan Evans, C.P. Hall, Brian Oberhauser and Michael Towner.

MEMBERS ABSENT: Trustee Ketchmark

ALSO PRESENT: Village Manager Riccardo F. Ginex, Assistant Village Manager Keith Sbiral, Village Attorney Richard Ramello and Deputy Village Clerk Theresa Coady.

OTHERS PRESENT: None

On Monday, July 11, 2011, President Garvey called the Village Board of Trustees meeting to order at 6:37 P.M. and led the Pledge of Allegiance to the Flag.

APPOINTMENTS AND PRESENTATIONS

Patrick Evoy – Police Officer Probationary period ends June 27, 2012

Motion by Trustee Edwards, seconded by Trustee Towner, to approve the appointment of Patrick Evoy as a Probationary Police Officer with a Probationary Period to end June 27, 2012. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark. Village Clerk Brigid Weber administered the Oath of Office.

Brian Jelinek - Police Officer Probationary period ends June 27, 2012

Motion by Trustee Edward, seconded by Trustee Evans, to approve the appointment of Brian Jelinek as a Probationary Police Officer with a Probationary Period to end June 27, 2012. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark. Village Clerk Brigid Weber administered the Oath of Office.

Auxiliary Police Recognition

Appointment – Playground and Recreation Committee – Daniel Riordan, term expires 5/31/2014

Motion by Trustee Hall, seconded by Trustee Edwards, to approve the appointment of Daniel Riordan to the Playground and Recreation Committee with a term to expire May 31, 2014. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark. Village Clerk Brigid Weber administered the Oath of Office.

PUBLIC COMMENT

OMNIBUS AGENDA

Approval of Minutes: Village Board Meeting Monday, June 27, 2011; Committee of the Whole Meeting, Monday, June 27, 2011; Special Village Board Meeting, June 30, 2011.

Motion by Trustee Towner, seconded by Trustee Evans, to approve the Omnibus Agenda of the July 11, 2011 Regular village Board Meeting. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

REPORTS OF SPECIAL COMMITTEES

Finance – Trustee Towner

☛ Corporate Warrant No. 976, July 11, 2011 - \$698,681.56

Motion by Trustee Towner, seconded by Trustee Oberhauser, to approve Corporate Warrant No. 976 dated July 11, 2011, in the amount of \$698,681.56. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

☛ Recreation Warrant No. 255 dated July 11, 2011 - \$7,760.13

Motion by Trustee Towner, seconded by Trustee Edwards, to approve Recreation Warrant No. 255 dated July 11, 2011 in the amount of \$7,760.13. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

Public Works -

Continuing cleanup due to recent storms.

Chamber of Commerce – Trustee Hall

- ☛ Corrected meeting and event dates
- ☛ Farmer's Market continues successfully

Conservation and Special Events – Trustee Oberhauser

- ☛ Special Events: Meeting scheduled for July 20, 2011
- ☛ Conservation Commission: Meeting scheduled for July 26, 2011

Recreation, Plan Commission and Seniors Liaison - Trustee Edwards

- ☛ Recreation: Meeting cancelled
- ☛ Plan Commission
- ☛ Senior Liaison:

Administration, Public Safety, Zoning – Trustee Ketchmark

- ☛ Administration
- ☛ Public Safety
- ☛ Zoning:

Beautification and Library – Trustee Evans

- ☛ Beautification: Meeting scheduled for July 12, 2011. Garden contest deadline.
- ☛ Library:

Economic Development, Zoo and WCMC - President Garvey

- ☛ WCMC: No updates
- ☛ Economic Development:
- ☛ Zoo: No updates.
- ☛ Very successful 4th of July activities.

NEW BUSINESS

Ordinance 2011-39 – An Ordinance Cancelling the Regularly Scheduled August 22, 2011 meeting of the Board of Trustees of the Village of Brookfield

Motion by Trustee Towner, seconded by Trustee Edwards, to approve Ordinance 2011-39 – An Ordinance Cancelling the Regularly Scheduled August 22, 2011 meeting of the Board of Trustees of the Village of Brookfield. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

MANAGER'S REPORT

- ☛ Electrical outages statistics and status
- ☛ Grand Boulevard project update
- ☛ 911 Wireless funds to Village of Brookfield

TEMPORARY RECESS

Motion by Trustee Towner, seconded by Trustee Hall, to adjourn the Regular Village Board meeting of July 11, 2011 at 7:19 P.M. in order to conduct a Committee of the Whole meeting. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

RECONVENE REGULAR VILLAGE BOARD MEETING

Motion by Trustee Towner, seconded by Trustee Edwards, to reconvene the Regular Village Board meeting at 7:49 P.M. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

EXECUTIVE SESSION – Personnel

Motion by Trustee Towner, seconded by Trustee Oberhauser, to adjourn the Regular Village Board meeting of July 11, 2011 at 7:50 P.M. to conduct an Executive Session in order to discuss Personnel. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

RECONVENE REGULAR VILLAGE BOARD MEETING

Motion by Trustee Towner, seconded by Trustee Edwards, to reconvene the Regular Village Board Meeting of July 11, 2011 at 8:40 P.M. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

NEW BUSINESS - CONTINUED

Resolution 2011-845 – A Resolution to Approve and Authorize the Execution of a Fifth Amendment to the Employment Agreement of the Village Manager

Motion by Trustee Towner, seconded by Trustee Evans, to approve Resolution 2011-845 to amend the annual compensation of the Village Manager to \$138,533.43 retroactive to January 1, 2011. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall and Towner. Nays: Trustee Oberhauser. Absent: Trustee Ketchmark.

ADJOURNMENT

Motion by Trustee Towner, seconded by Trustee Edwards to adjourn the Regular Village Board meeting of July 11, 2011 at 8:47 P.M. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

**Brigid Weber
Village Clerk
Village of Brookfield**

/lls

VILLAGE OF BROOKFIELD
BROOKFIELD, ILLINOIS 60513

JOURNAL OF THE PROCEEDINGS OF THE PRESIDENT AND THE BOARD OF TRUSTEES
AT A COMMITTEE OF THE WHOLE MEETING
HELD ON MONDAY, JULY 11, 2011
IN THE BROOKFIELD MUNICIPAL BUILDING

MEMBERS PRESENT: President Michael J. Garvey, Trustees Catherine Edwards, Ryan Evans, C.P. Hall, Brian Oberhauser and Michael Towner.

MEMBERS ABSENT: Trustee Ketchmark

ALSO PRESENT: Village Manager Riccardo F. Ginex, Assistant Village Manager Keith Sbiral, Village Attorney Richard Ramello and Deputy Village Clerk Theresa Coady.

OTHERS PRESENT: None

On Monday, July 11, 2011, President Garvey called the Committee of the Whole meeting to order at 7:18 P.M.

Discussion Items

St. Nikola Temporary Class S

St. Nikola Serbian Orthodox Church is holding a festival on August 27th and 28th on the church grounds from Noon to 8 p.m. each day. They plan to serve food and beverages during those hours. They will erect a temporary tent for this event for which they have been working with the building department to get the appropriate permits. Their custom is to serve alcoholic beverages at these events and appeared before the board to ask permission. Staff recommends the Village Board grant this request.

The Village Attorney to create an additional Class 8 Liquor Licenses for Board approval at the Regular Village Board meeting scheduled for July 25, 2011.

GCG Financial Inc. Consultation Renewal

GCG Financials, Inc. has been our benefits administrator since July 2008, coordinating our medical, dental, and life insurance policies, as well as our Flexible Spending Account and our Wellness Program. GCG Financial has provided, and continues to provide, the Village and their employees with excellent customer service. GCG Financial, Inc. has not increased their consulting fees since we signed with them in 2008.

Staff recommends adoption of a resolution authorizing the execution of the agreement by and between the Village of Brookfield and GCG Financial, Inc. The Board to adopt a resolution authorizing the execution of the agreement by and between the Village of Brookfield and GCG Financial, Inc. at the July 11-2011 Regular Board Meeting.

Solicitation Ordinance

Presently the Village does not have a solicitation ordinance to regulate how solicitation can be conducted. The only restriction for solicitation is in Chapter 7 Business, Trades and Occupation – Section 7-24c(12), Canvassers. It details a fee of \$10.00. Historically, this is the way staff has issued permits for solicitation requests. Staff has been working with the Village Attorney to bring an ordinance before the Board that can codify how and when solicitation can be conducted in the Village.

The ordinance is discussed and approved with appropriate revisions. Item to be on agenda for approval vote at the Regular Village Board meeting scheduled for July 25, 2011.

ADJOURNMENT

Motion by Trustee Towner, seconded by Trustee Hall to adjourn the Committee of the Whole meeting of July 11, 2011 at 7:49 P.M. Upon roll call the motion carried as follows: Ayes: Trustees Edwards, Evans, Hall, Oberhauser and Towner. Nays: None. Absent: Trustee Ketchmark.

Brigid Weber
Village Clerk
Village of Brookfield

/lls

CHECK	VENDOR	AMOUNT
00610	9340 IMRF	44,957.38
67145	19247 SEIU NAT'L INDUSTRY PENS FUND	1,368.56
67146	22180 VEHICLE TAG REFUND	32.00
67147	22905 VISA	1,240.66
67148	12506 LESLIE HEATING & COOLING INC	21,400.00
67149	10850 JULY 4TH PARTICIPATION	75.00
67150	9081 ICMA	322.86
67151	9037 IACE	120.00
67152	3645 CONCERTS IN THE PARK	375.00
67153	22450 VILLAGE OF BROOKFIELD	259.52
67155	1103 ACCURATE DOCUMENT DESTRUCTION	56.50
67156	1114 ACS FIREHOUSE SOFTWARE	735.00
67157	1215 AICPA	71.67
67158	1250 AIRGAS NORTH CENTRAL	475.35
67159	1329 ALL AMERICAN PAPER CO.	307.18
67160	1595 ANIMAL WELFARE LEAGUE	130.50
67161	1740 ATRIUM	174.00
67162	1780 AT&T LONG DISTANCE	238.95
67163	1781 AT & T	4,364.17
67164	2015 B ALLAN GRAPHICS	2,400.00
67165	2022 BACKFLOW SOLUTIONS, INC.	495.00
67166	2340 BLUE CROSS BLUE SHIELD OF IL	9,159.91
67167	2400 BOUND TREE MEDICAL, LLC	1,927.80
67168	2720 BROOKFIELD TRUE VALUE HARDWAR	86.65
67169	2915 DWAYNE BURRELL	166.00
67170	3055 CALL ONE	314.99
67171	3102 CANON BUSINESS SOLUTIONS, INC	177.81
67172	3103 CANON FINANCIAL SERVICES INC.	1,802.76
67173	3550 COMCAST	79.90
67174	3560 COMED	3,286.84
67175	3585 COMMUNICATIONS DIRECT INC.	147.75
67176	3769 COUNTY OF COOK, ILLINOIS	3,086.61
67177	3823 CROWN TROPHY	13.00
67178	4455 DANTE DIBARTOLO	257.00
67179	5500 EXELON ENERGY COMPANY	16,552.87
67180	6108 FEDEX	71.71
67181	6572 FMP	14.99
67182	6659 FREEMAN FENCE INC.	853.87
67183	7147 GATEHOUSE MEDIA SUBURBAN NEWS	38.00
67184	7191 GE CAPITAL	632.53
67185	7245 GENESIS CLINICAL LABORATORY	967.00
67186	7276 RICCARDO GINEX	49.95
67187	7460 GMF CONTRACTORS	56.10
67188	7740 GRAINGER	249.30
67189	7883 GROOT INDUSTRIES, INC.	108,782.74
67190	8080 HANCOCK ENGINEERING	51,243.50
67191	8295 HEALTH ENDEAVORS, SC	1,140.00
67192	8808 HOUSE OF DOORS, INC.	254.50
67193	9274 ILLINOIS HEART AND VASCULAR	260.00
67194	9535 ILLINOIS PAPER & COPIER CO.	700.30

CHECK	VENDOR	AMOUNT
67195	9920 INVENTORY TRADING COMPANY	74.75
67196	10097 J.G. UNIFORMS, INC.	544.29
67197	10100 J&L ELECTRONIC SERVICE, INC.	612.41
67198	10101 J&M FENCE	700.00
67199	10200 JACK'S INC.	99.58
67200	10201 JACKSON-HIRSH, INC.	87.98
67201	10216 JULIE JANETOPOULOS	8.75
67202	11120 KARA CO INC	47.90
67203	11280 KIEFT BROS INC	20.00
67204	11417 THE KNOX COMPANY	392.00
67205	12140 LA GRANGE MATERIALS, INC.	5.50
67206	12175 LA GRANGE PK ACE HARDWARE	124.74
67207	12302 LAUTERBACH & AMEN, LLP	2,750.00
67208	12345 LAWSON PRODUCTS, INC.	61.56
67209	12532 LEWIS UNIVERSITY	1,785.00
67210	12750 LOCATEPLUS CORPORATION	74.99
67211	13168 ROBERT A. MARSHALL, M.D.	100.00
67212	13392 MENARDS-HODGKINS	482.94
67213	13431 METROPOLITAN MAYORS CAUCUS	664.23
67214	13715 MOBILE FASTENER CO	80.98
67215	13745 MONROE TRUCK EQUIPMENT	1,218.00
67216	14800 NICOR	105.38
67217	15387 OCCUPATIONAL HEALTH CTR OF SW	47.50
67218	15837 ORKIN INC.	394.30
67219	16438 EDWARD PETRAK	129.95
67220	16458 PHYSIO-CONTROL, INC.	801.96
67221	16500 PHOENIX FIRE SYSTEMS, INC	295.00
67222	16518 PINNER ELECTRIC, INC.	4,964.07
67223	16532 PITNEY BOWES	666.46
67224	16548 PLYMOUTH PLACE, INC.	21.00
67225	16704 PRIORITY PRINT	382.10
67226	17017 QUARRY MATERIALS, INC.	127.98
67227	18562 ANITA RICHARDSON	1,200.00
67228	18691 MICHELLE ROBBINS	63.48
67229	19137 TERRY SCHRIEBER	81.56
67230	19337 SHERWIN INDUSTRIES, INC.	732.73
67231	19433 SNAP-ON CREDIT LLC	104.62
67232	19630 STAPLES ADVANTAGE	297.13
67234	19748 STORINO, RAMELLO & DURKIN	16,609.38
67235	19754 STRICTLY BOARD UP	140.00
67236	19805 SUBURBAN LABORATORIES, INC.	110.00
67237	19815 SUBURBAN LIFE PUBLICATIONS	436.76
67238	20595 THOMPSON ELEVATOR INSP SVC IN	559.00
67239	20870 TRUGREEN CHEMLAWN	2,667.50
67240	21445 UNIFIRST CORPORATION	454.55
67241	22231 VERIZON WIRELESS	715.70
67242	22725 VILLAGE OF DOWNERS GROVE	1,242.82
67243	22750 VILLAGE OF LA GRANGE	870.00
67244	23390 WEDNESDAY JOURNAL	1,348.25
70611	22690 VILLAGE OF BROOKFIELD	328,857.91

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
IMRF	MONTHLY DEPOSIT-JUNE 201	177.56	01-01-5120		9340	610
IMRF	MONTHLY DEPOSIT-JUNE 201	5,241.10	01-10-5120		9340	610
IMRF	MONTHLY DEPOSIT-JUNE 201	2,533.11	01-12-5120		9340	610
IMRF	MONTHLY DEPOSIT-JUNE 201	2,456.18	01-13-5120		9340	610
IMRF	MONTHLY DEPOSIT-JUNE 201	2,538.02	01-19-5120		9340	610
IMRF	MONTHLY DEPOSIT-JUNE 201	1,692.01	01-20-5120		9340	610
IMRF	TPDP-M. RUHL-JUNE 2011	60.00	01-30-5120		9340	610
IMRF	MONTHLY DEPOSIT-JUNE 201	13,780.72	01-30-5120		9340	610
IMRF	MONTHLY DEPOSIT-JUNE 201	1,224.00	01-40-5120		9340	610
IMRF	EMPLOYEE W/H-JUNE 2011	8,249.37	02-00-2023		9340	610
IMRF	LIBRARY EMPLOYEE W/H-JUN	1,525.09	02-00-2023		9340	610
IMRF	LIBRARY EMPLOYER W/H-JUN	5,480.22	02-00-2023		9340	610
SEIU NAT'L INDUSTRY PENS FUND	MONTHLY DEPOSIT-JUNE 201	1,368.56	01-30-5080		19247	67145
VEHICLE TAG REFUND	REFUND-S/B SENIOR RATE R. MC DONALD	32.00	01-36-4270		22180	67146
VISA	VISA PURCHASES	86.98	01-14-5580		22905	67147
VISA	VISA PURCHASES	310.00	01-20-5380		22905	67147
VISA	VISA PURCHASES	25.00	01-20-5410		22905	67147
VISA	VISA PURCHASES	75.00	01-20-5625		22905	67147
VISA	VISA PURCHASES	673.90	01-20-5675		22905	67147
VISA	VISA PURCHASES	18.56	01-30-5310		22905	67147
VISA	VISA PURCHASES	17.22	01-30-5620		22905	67147
VISA	VISA PURCHASES	34.00	01-30-5820		22905	67147
LESLIE HEATING & COOLING INC	1/3 PAYMENT FOR NEW HVAC SYSTEM AT VLG HALL	21,400.00	01-36-6200		12506	67148
JULY 4TH PARTICIPATION	MATT BROOKS-JULY 4TH	75.00	01-52-5560		10850	67149

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
	PERFORMANCE					
ICMA	MAY 2011 LOAN PAYMENTS- THERESA MARIANI	322.86	01-00-2039		9081	67150
IACE	MEMBERSHIP FEES & QUARTE MEETING-CAROL BOTTARI & PAUL TRUDEAU	120.00	01-13-5590		9037	67151
CONCERTS IN THE PARK	RON PIECH	375.00	01-50-5560		3645	67152
VILLAGE OF BROOKFIELD	PETTY CASH	28.89	01-10-5690		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	18.00	01-10-5810		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	5.00	01-10-5840		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	3.56	01-12-5680		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	25.99	01-12-5690		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	32.09	01-12-5690		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	8.67	01-14-6530		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	11.86	01-31-5350		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	55.52	01-40-5810		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	16.76	01-50-5690		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	40.00	01-50-5799		22450	67153
VILLAGE OF BROOKFIELD	PETTY CASH	13.18	01-52-5690		22450	67153
ACCURATE DOCUMENT DESTRUCTION	SHREDDING SVC	56.50	01-10-5299	633551	1103	67155
ACS FIREHOUSE SOFTWARE	FH SUPPORT CONTRACT RENE BUNDLED SYSTEM/ADDTL LIC	735.00	01-25-5620	678510	1114	67156
AICPA	MEMBERSHIP DUES-DOUGLAS COOPER	71.67	01-12-5550		1215	67157
AIRGAS NORTH CENTRAL	MEDICAL OXYGEN	344.34	01-25-5640	417901	1250	67158
AIRGAS NORTH CENTRAL	WELDING GASES	131.01	01-34-5710	411733	1250	67158
ALL AMERICAN PAPER CO.	O/S CREDIT	88.30CR	01-30-5510		1329	67159
ALL AMERICAN PAPER CO.	JANITORIAL SUPPLIES	395.48	01-30-5510	71373	1329	67159

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
ANIMAL WELFARE LEAGUE	JUNE STRAYS	130.50	01-20-5299	5408	1595	67160
ATRIUM	VLG HALL FLOWERS	174.00	01-07-5690	4217	1740	67161
AT&T LONG DISTANCE	LONG DIST SVC	238.95	01-14-5580		1780	67162
AT & T	387-2561	112.11	01-14-5580		1781	67163
AT & T	387-2650	2,512.96	01-14-5580		1781	67163
AT & T	387-2733	41.28	01-14-5580		1781	67163
AT & T	E911-847-734-5955	1,198.89	01-14-5580		1781	67163
AT & T	387-1350	38.52	01-14-5580		1781	67163
AT & T	485-3277	37.38	01-14-5580		1781	67163
AT & T	785-0076	210.00	01-14-5580		1781	67163
AT & T	485-6045	96.18	01-14-5580		1781	67163
AT & T	485-2499	38.32	01-14-5580		1781	67163
AT & T	485-2266	38.32	01-14-5580		1781	67163
AT & T	485-6575	40.21	01-14-5580		1781	67163
B ALLAN GRAPHICS	WATER REPORT	2,400.00	01-01-5540	81679	2015	67164
BACKFLOW SOLUTIONS, INC.	ANNUAL ONLINE FEE	495.00	61-62-5560	1375	2022	67165
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	141.90	01-10-5150	051133	2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	46.19	01-12-5150		2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	580.52	01-13-5150		2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	709.64	01-19-5150		2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	3,609.91	01-20-5150		2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	1,858.34	01-25-5150		2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	1,372.30	01-30-5150		2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	100.40	01-40-5150		2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	591.50	61-61-5150		2340	67166

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	76.98	61-62-5150		2340	67166
BLUE CROSS BLUE SHIELD OF IL	DIFFERENCE BTWN RATES	72.23	62-61-5150		2340	67166
BOUND TREE MEDICAL, LLC	GLOVES/DISINFECTANT	1,927.80	01-25-5640	604726	2400	67167
BROOKFIELD TRUE VALUE HARDWARE	FIRE DEPT PURCHASES	35.47	01-25-5690		2720	67168
BROOKFIELD TRUE VALUE HARDWARE	DPW PURCHASES	51.18	01-30-5690		2720	67168
DWAYNE BURRELL	VISION CARE REIMBURSEMEN	166.00	01-20-5170		2915	67169
CALL ONE	LOCAL/LONG DIST-1010-434 0000	314.99	01-14-5580		3055	67170
CANON BUSINESS SOLUTIONS, INC	SUPPLY INCL PRG-IRC5068	107.67	01-10-5540		3102	67171
CANON BUSINESS SOLUTIONS, INC	SUPPLY INCL PRG-IRC3080	70.14	01-25-5540	615968	3102	67171
CANON FINANCIAL SERVICES INC.	CONTRACT CHARGES	360.56	01-10-5340	130466	3103	67172
CANON FINANCIAL SERVICES INC.	CONTRACT CHARGES	360.55	01-20-5340		3103	67172
CANON FINANCIAL SERVICES INC.	CONTRACT CHARGES	360.55	01-25-5350		3103	67172
CANON FINANCIAL SERVICES INC.	CONTRACT CHARGES	360.55	01-30-5350		3103	67172
CANON FINANCIAL SERVICES INC.	CONTRACT CHARGES	360.55	01-40-5350		3103	67172
COMCAST	XFINITY INTERNET 8771201670055098	79.90	01-14-5500		3550	67173
COMED	LINCOLN/VERNON-030703909	3,286.84	01-36-5775		3560	67174
COMMUNICATIONS DIRECT INC.	REPAIRED ARROW STICK CON	147.75	01-25-5310	95635	3585	67175
COUNTY OF COOK, ILLINOIS	T1 DATA LINE/WAN & MAINT FEES	3,086.61	01-20-5490		3769	67176
CROWN TROPHY	1"X3" NAME BADGES	13.00	01-03-5299	14060	3823	67177
DANTE DIBARTOLO	INSTALLATION OF MURAL & RELATED SUPPLIES AT 8 CORNERS	257.00	01-07-5690		4455	67178
EXELON ENERGY COMPANY	STREET LIGHT ACCT	16,552.87	01-36-5775		5500	67179
FEDEX	SHIPPING CHGS	28.08	01-10-5680		6108	67180
FEDEX	SHIPPING CHGS	18.06	01-10-5680	37036	6108	67180

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
FEDEX	SHIPPING CHGS	25.57	01-25-5680		6108	67180
FMP	POCKET LED LIGHT STICK	14.99	01-34-5710	320235	6572	67181
FREEMAN FENCE INC.	MATERIAL/SUPPLIES FOR MU AT 8 CORNERS	853.87	01-07-5690		6659	67182
GATEHOUSE MEDIA SUBURBAN NEWS	SUB LIFE SUBSCRIPTION	38.00	01-30-5615		7147	67183
GE CAPITAL	RICOH COPIER ID #90136048886	632.53	01-10-5340		7191	67184
GENESIS CLINICAL LABORATORY	LAB WORK-ALLEN VILLEGAS	967.00	01-03-5299		7245	67185
RICCARDO GINEX	INTERNET REIMBURSEMENT	49.95	01-14-5580		7276	67186
GMF CONTRACTORS	SPARK PLUGS/FUEL LINE	56.10	01-30-5690	9110	7460	67187
GRAINGER	V BELT,55 IN,5VX550	82.62	01-30-5510	204658	7740	67188
GRAINGER	V BELT,56 IN,5VX560	166.68	01-31-5305	977667	7740	67188
GROOT INDUSTRIES, INC.	RESIDENTIAL P/U-JULY	85,143.11	62-64-5480	636690	7883	67189
GROOT INDUSTRIES, INC.	DUMPING CHARGES	3,440.33	62-64-5480	122900	7883	67189
GROOT INDUSTRIES, INC.	RESIDENTIAL YARD WASTE-J	20,199.30	62-64-5480	636691	7883	67189
HANCOCK ENGINEERING	9138 OGDEN-PARKING LOT	228.00	01-13-5299	110245	8080	67190
HANCOCK ENGINEERING	GRAND BLVD	50,331.50	42-00-5240	110246	8080	67190
HANCOCK ENGINEERING	UPDATED STREET WIDTHS	342.00	42-00-5240	110245	8080	67190
HANCOCK ENGINEERING	GRAND BLVD SEWER REPAIR	342.00	61-62-5240	110245	8080	67190
HEALTH ENDEAVORS, SC	SPIROMETRY, OSHA HX FORM VITALS, TB, BRIEF MEDICAL	1,140.00	01-25-5280	2510	8295	67191
HOUSE OF DOORS, INC.	REPAIRS AT STATION 2	254.50	01-35-5305	248926	8808	67192
ILLINOIS HEART AND VASCULAR	TESTS-EVOY & JELINEK	260.00	01-03-5299	201003	9274	67193
ILLINOIS PAPER & COPIER CO.	JUNE 2011 BILLING	58.95	01-10-5540	820099	9535	67194
ILLINOIS PAPER & COPIER CO.	COPY PAPER	641.35	01-10-5670	595938	9535	67194
INVENTORY TRADING COMPANY	NAVY POLO SHIRT, FF WKSH	74.75	01-25-5765	207302	9920	67195
J.G. UNIFORMS, INC.	EMBROIDERY STAR & NAME S	20.50	01-20-5765	25141	10097	67196

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
	OF PATCHES					
J.G. UNIFORMS, INC.	CUSTOM SHIRT STYLE VEST	105.91	01-20-5765	25075	10097	67196
J.G. UNIFORMS, INC.	CUSTOM TACTICAL VEST COV	172.88	01-20-5765	25158	10097	67196
J.G. UNIFORMS, INC.	CUSTOM SHIRT STYLE VEST	123.00	01-20-5765	25084	10097	67196
J.G. UNIFORMS, INC.	CUSTOM TACTICAL VEST COV	122.00	01-20-5765	25099	10097	67196
J&L ELECTRONIC SERVICE, INC.	HANDSET W/HOOK SWITCH AS	227.42	01-20-5310	84394	10100	67197
J&L ELECTRONIC SERVICE, INC.	200VA 6 OUTLET UPS	384.99	01-25-5310	84341	10100	67197
J&M FENCE	FENCE REPAIR AT KIWANIS	700.00	01-35-5560	6023	10101	67198
JACK'S INC.	ESTIMATE REPAIR CHARGE	20.00	01-33-5710	46934	10200	67199
JACK'S INC.	HEDGE TRIMMER REPAIRS	79.58	01-33-5715	46936	10200	67199
JACKSON-HIRSH, INC.	DPW SUPPLIES	87.98	01-30-5350	805594	10201	67200
JULIE JANETOPOULOS	REIMBURSEMENT FOR FOOD F ADOPT A SPOT VOLUNTEERS	8.75	01-07-5625		10216	67201
KARA CO INC	PREMIUM LATH 48"	47.90	01-36-5750	273430	11120	67202
KIEFT BROS INC	4" CONCRETE ADJ RING	20.00	61-62-5790	176246	11280	67203
THE KNOX COMPANY	4100 SURFACE BLACK SINGL LOCK	392.00	01-31-5305	440393	11417	67204
LA GRANGE MATERIALS, INC.	SPEC MIX N	5.50	61-62-5690	58729	12140	67205
LA GRANGE PK ACE HARDWARE	DPW SUPPLIES	124.74	01-30-5690		12175	67206
LAUTERBACH & AMEN, LLP	AUDIT OF FINANCIAL STMTS	2,750.00	01-12-5210	21959	12302	67207
LAWSON PRODUCTS, INC.	2.5 BEARKAT SAFETY GLASS EMPTY STRINGRAY BUTANE TORCH	61.56	01-34-5710	611404	12345	67208
LEWIS UNIVERSITY	TUITION REIMBURSEMENT	1,785.00	01-10-5065		12532	67209
LOCATEPLUS CORPORATION	LP POLICE PLAN FEE	74.99	01-20-5560	6F1712	12750	67210
ROBERT A. MARSHALL, M.D.	EXAMS-EVOY & VILLEGAS	100.00	01-03-5299		13168	67211
MENARDS-HODGKINS	DPW SUPPLIES	12.98	01-30-5690	76815	13392	67212
MENARDS-HODGKINS	DPW SUPPLIES	11.39	01-31-5305	78119	13392	67212

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
MENARDS-HODGKINS	DPW SUPPLIES	127.88	01-31-5305	74098	13392	67212
MENARDS-HODGKINS	DPW SUPPLIES	130.94	01-31-5305	77475	13392	67212
MENARDS-HODGKINS	DPW SUPPLIES	99.84	01-33-5690	76813	13392	67212
MENARDS-HODGKINS	DPW SUPPLIES	17.67	01-35-5690	74872	13392	67212
MENARDS-HODGKINS	DPW SUPPLIES	47.28	01-35-5690	74200	13392	67212
MENARDS-HODGKINS	DPW SUPPLIES	34.96	61-62-5690	73317	13392	67212
METROPOLITAN MAYORS CAUCUS	2010-11 DUES	664.23	01-01-5490		13431	67213
MOBILE FASTENER CO	MISC PARTS	80.98	01-34-5710	23393	13715	67214
MONROE TRUCK EQUIPMENT	REPLACEMENT CRYSTEEL TAI GATE	1,218.00	01-34-5710	37833	13745	67215
NICOR	4523 EBERLY-96 09 97 000	19.93	01-31-5770		14800	67216
NICOR	4301 ELM-82 99 97 0000 6	21.28	01-31-5770		14800	67216
NICOR	3840 MAPLE-83 07 18 0000	64.17	01-31-5770		14800	67216
OCCUPATIONAL HEALTH CTR OF SW	PREPLACEMENT PHYSICAL SUSANA SILVA	47.50	01-20-5280		15387	67217
ORKIN INC.	PEST CONTROL-4523 EBERLY	49.50	01-30-5510		15837	67218
ORKIN INC.	PEST CONTROL-8820 BRKFLD	48.00	01-30-5510		15837	67218
ORKIN INC.	PEST CONTROL-4545 EBERLY	49.50	01-30-5510		15837	67218
ORKIN INC.	PEST CONTROL-TRAIN STATI	57.20	01-30-5510		15837	67218
ORKIN INC.	PEST CONTROL-3830 MAPLE	50.60	01-30-5510		15837	67218
ORKIN INC.	PEST CONTROL-STATION 1&2	90.00	01-30-5510		15837	67218
ORKIN INC.	PEST CONTROL-KIWANIS PAR	49.50	01-30-5510		15837	67218
EDWARD PETRAK	LEATHER ALLOWANCE	129.95	01-20-5099		16438	67219
PHYSIO-CONTROL, INC.	QUARTERLY BILLING	801.96	01-25-5330	5615	16458	67220
PHOENIX FIRE SYSTEMS, INC	CUT DETECTOR OUT OF CEIL TILE & MOVED TO BEAM TEMP	295.00	01-31-5305	2098	16500	67221
PINNER ELECTRIC, INC.	STREET LIGHT REPAIRS/OUT	4,964.07	01-36-5570	21180	16518	67222

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
PITNEY BOWES	RENTAL CHARGES	436.00	01-10-5340	498214	16532	67223
PITNEY BOWES	RED INK FOR POSTAGE MACH	230.46	01-10-5670	475977	16532	67223
PLYMOUTH PLACE, INC.	PRISONER MEALS-APRIL	21.00	01-20-5840		16548	67224
PRIORITY PRINT	PAR'S	309.90	01-10-5720	110604	16704	67225
PRIORITY PRINT	NO PARKING SIGNS-JULY 4T	72.20	01-52-5690	110590	16704	67225
QUARRY MATERIALS, INC.	N50 SURFACE	70.20	01-36-5735	41477	17017	67226
QUARRY MATERIALS, INC.	N50 SURFACE	57.78	01-36-5735	41500	17017	67226
ANITA RICHARDSON	JUNE ADJUDICATION HEARIN	1,200.00	01-11-5250	20116	18562	67227
MICHELLE ROBBINS	TEXTBOOK REIMBURSEMENT	63.48	01-10-5065		18691	67228
TERRY SCHRIEBER	VISION CARE REIMBURSEMEN	81.56	01-20-5170		19137	67229
SHERWIN INDUSTRIES, INC.	YELLOW CLASS 2 MESH TSHI	732.73	01-36-5700	42221	19337	67230
SNAP-ON CREDIT LLC	EVAP SMOKE MACHINE	104.62	01-34-5460	26174	19433	67231
STAPLES ADVANTAGE	PRINTER INK	66.56	01-10-5670	523533	19630	67232
STAPLES ADVANTAGE	CASHIER'S SUPPLIES	127.57	01-12-5670	523532	19630	67232
STAPLES ADVANTAGE	PD OFFICE SUPPLIES	103.00	01-20-5670	658271	19630	67232
STORINO, RAMELLO & DURKIN	9401 HENRIETTA	175.40	01-11-5250	55027	19748	67234
STORINO, RAMELLO & DURKIN	ORDINANCE VIOLATION PROS	1,263.10	01-11-5250	55220	19748	67234
STORINO, RAMELLO & DURKIN	4607 EBERLY	173.82	01-11-5250	55028	19748	67234
STORINO, RAMELLO & DURKIN	3504 WOODSIDE	335.33	01-11-5250	55034	19748	67234
STORINO, RAMELLO & DURKIN	3827 ARTHUR	59.50	01-11-5250	55031	19748	67234
STORINO, RAMELLO & DURKIN	3715 SUNNYSIDE	514.22	01-11-5250	55032	19748	67234
STORINO, RAMELLO & DURKIN	4601 GROVE/3025 VERNON	1,845.15	01-11-5250	55029	19748	67234
STORINO, RAMELLO & DURKIN	3135 KEMMAN	218.80	01-11-5250	55033	19748	67234
STORINO, RAMELLO & DURKIN	4222 BLANCHAN	216.43	01-11-5250	55030	19748	67234
STORINO, RAMELLO & DURKIN	8500 BROOKFIELD/3640 HOL	788.50	01-11-5250	55035	19748	67234

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
	WOOD					
STORINO, RAMELLO & DURKIN	VOB VS BROOKFIELD BOWL	764.60	01-11-5250	55224	19748	67234
STORINO, RAMELLO & DURKIN	3146 MORTON	17.00	01-11-5250	55036	19748	67234
STORINO, RAMELLO & DURKIN	VCNA PRAIRIE VS VOB, KIN POINT	484.66	01-11-5260	55217	19748	67234
STORINO, RAMELLO & DURKIN	COW MEETINGS	1,020.00	01-11-5270	55218	19748	67234
STORINO, RAMELLO & DURKIN	RESOLUTIONS	93.50	01-11-5270	55222	19748	67234
STORINO, RAMELLO & DURKIN	GENERAL LEGAL MATTERS	5,457.11	01-11-5270	55219	19748	67234
STORINO, RAMELLO & DURKIN	2011 CLERICAL NEGOTIATIO	438.60	01-11-5270	55158	19748	67234
STORINO, RAMELLO & DURKIN	2011 DPW NEGOTIATIONS	520.20	01-11-5270	55159	19748	67234
STORINO, RAMELLO & DURKIN	2010 FIRE NEGOTIATIONS	1,487.50	01-11-5270	55157	19748	67234
STORINO, RAMELLO & DURKIN	BOARD MEETINGS	735.96	01-11-5270	55223	19748	67234
STRICTLY BOARD UP	BOARD UP-4118 PARK	140.00	01-20-5299	5483	19754	67235
SUBURBAN LABORATORIES, INC.	COLIFORM TESTS	110.00	61-62-5390	10165	19805	67236
SUBURBAN LIFE PUBLICATIONS	PREV WAGE ORDINANCE	436.76	01-10-5410		19815	67237
THOMPSON ELEVATOR INSP SVC INC	13 SEMI-ANNUAL INSPECTIO	559.00	01-13-5299	112000	20595	67238
TRUGREEN CHEMLAWN	VEG CONTROL	140.00	01-33-5655	53262	20870	67239
TRUGREEN CHEMLAWN	VEG CONTROL	136.50	01-33-5655	53261	20870	67239
TRUGREEN CHEMLAWN	VEG CONTROL	140.00	01-33-5655	53263	20870	67239
TRUGREEN CHEMLAWN	VEG CONTROL	70.00	01-33-5655	53264	20870	67239
TRUGREEN CHEMLAWN	EARLY SUMMER APP	471.00	01-33-5655	53251	20870	67239
TRUGREEN CHEMLAWN	VEG CONTROL	70.00	01-33-5655	53266	20870	67239
TRUGREEN CHEMLAWN	VEG CONTROL	90.00	01-33-5655	53265	20870	67239
TRUGREEN CHEMLAWN	VEG CONTROL	60.00	01-33-5655	53268	20870	67239
TRUGREEN CHEMLAWN	VEG CONTROL	70.00	01-33-5655	53267	20870	67239
TRUGREEN CHEMLAWN	VEG CONTROL	1,420.00	01-33-5655	53269	20870	67239

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
UNIFIRST CORPORATION	MATS	55.74	01-30-5515	585458	21445	67240
UNIFIRST CORPORATION	DPW UNIFORMS	121.70	01-30-5515	708926	21445	67240
UNIFIRST CORPORATION	DPW UNIFORMS	121.73	01-30-5515	710953	21445	67240
UNIFIRST CORPORATION	MATS	55.74	01-30-5515	607002	21445	67240
UNIFIRST CORPORATION	MATS	50.19	01-30-5515	607001	21445	67240
UNIFIRST CORPORATION	MATS	49.45	01-30-5515	585457	21445	67240
VERIZON WIRELESS	VLG CELL PHONES	715.70	01-14-5580		22231	67241
VILLAGE OF DOWNERS GROVE	MEDICAL INS-R. GINEX-AUG	1,242.82	01-10-5150	66654	22725	67242
VILLAGE OF LA GRANGE	REIMBURSEMENT FOR GRINDI BRUSH FROM STORM	870.00	62-64-5480		22750	67243
WEDNESDAY JOURNAL	LEGAL NOTICE-JAYCEE/EHLE PARK	240.00	01-10-5410		23390	67244
WEDNESDAY JOURNAL	FULL PAGE AD	495.00	01-10-5410		23390	67244
WEDNESDAY JOURNAL	TREASURER'S REPORT	577.00	01-12-5410		23390	67244
WEDNESDAY JOURNAL	HELP WANTED AD-PT DISPAT	36.25	01-20-5410		23390	67244
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	10,571.00	01-10-5020		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	500.88	01-10-5030		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	826.11	01-10-5110		22690	70611
VILLAGE OF BROOKFIELD	SUI-7/6/11	8.51	01-10-5190		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	2,680.77	01-12-5020		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	1,419.36	01-12-5025		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	93.15	01-12-5040		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	299.07	01-12-5110		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	1,859.33	01-13-5020		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	7,878.64	01-13-5025		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	1,135.65	01-13-5030		22690	70611

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	94.42	01-13-5040		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	810.43	01-13-5110		22690	70611
VILLAGE OF BROOKFIELD	SUI-7/6/11	19.31	01-13-5190		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	7,126.79	01-19-5025		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	526.43	01-19-5110		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	12,223.44	01-20-5020		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	92,988.09	01-20-5025		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	382.50	01-20-5025		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	14,786.86	01-20-5040		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	2,167.95	01-20-5110		22690	70611
VILLAGE OF BROOKFIELD	SUI-7/6/11	74.13	01-20-5190		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	3,907.34	01-25-5020		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	85,380.05	01-25-5025		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	13,597.73	01-25-5040		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	1,207.03	01-25-5110		22690	70611
VILLAGE OF BROOKFIELD	SUI-7/6/11	6.72CR	01-25-5190		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	3,374.42	01-30-5020		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	26,310.06	01-30-5025		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	1,905.75	01-30-5035		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	9,801.63	01-30-5040		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	3,052.81	01-30-5110		22690	70611
VILLAGE OF BROOKFIELD	SUI-7/6/11	32.41	01-30-5190		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	488.61	01-40-5110		22690	70611
VILLAGE OF BROOKFIELD	SUI-7/6/11	71.10	01-40-5190		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	1,888.88	61-61-5020		22690	70611

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	12,621.60	61-61-5025		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	2,567.10	61-61-5040		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	43.56	61-61-5040		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	1,130.16	61-61-5110		22690	70611
VILLAGE OF BROOKFIELD	SUI-7/6/11	3.06CR	61-61-5190		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	1,888.91	62-61-5020		22690	70611
VILLAGE OF BROOKFIELD	P/R DATED 7/6/11	917.76	62-61-5025		22690	70611
VILLAGE OF BROOKFIELD	FICA & MEDICARE-7/6/11	207.96	62-61-5110		22690	70611
	TOTAL EXPENDITURES	656,336.37 =====	62-00-1001			

VILLAGE OF BROOKFIELD
RUN - 7/20/11

A/P CHECK REGISTER
WARRANT 256 7-25-11

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CHECK	VENDOR	AMOUNT
43577	22905 VISA	124.00
43578	18340 REFUND - PICNIC DEPOSIT	150.00
43579	18340 REFUND - PICNIC DEPOSIT	75.00
43580	18340 REFUND - PICNIC DEPOSIT	60.00
43581	18340 REFUND - PICNIC DEPOSIT	50.00
43582	18340 REFUND - PICNIC DEPOSIT	50.00
43583	18340 REFUND - PICNIC DEPOSIT	50.00
43584	18340 REFUND - PICNIC DEPOSIT	50.00
43585	18340 REFUND - PICNIC DEPOSIT	50.00
43586	18340 REFUND - PICNIC DEPOSIT	30.00
43587	18340 REFUND - PICNIC DEPOSIT	30.00
43589	3102 CANON BUSINESS SOLUTIONS, INC	51.20
43590	4453 DIAMOND TOURS, INC.	23,060.00
43591	8375 NANCY HERATY	495.00
43592	12200 LAIDLAW TRANSIT, INC.	641.00
43593	19630 STAPLES ADVANTAGE	62.62
70811	22690 VILLAGE OF BROOKFIELD	6,481.63

17 CHECKS PRINTED

\$31,510.45

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
VISA	CAMP OUTING	124.00	01-43-5560		22905	43577
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-KIWANIS 7 RICHARD GROSSER	150.00	01-40-4293		18340	43578
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-KIWANIS 7 BRANDON & COURTNEY POPPER	75.00	01-40-4293		18340	43579
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-EHLERT 7/ KAREN KEDZUCH	60.00	01-40-4293		18340	43580
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-EHLERT 7/ GERRY CAHILL	50.00	01-40-4293		18340	43581
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-EHLERT 7/ DAVID MONTI	50.00	01-40-4293		18340	43582
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-KIWANIS 7 SOCORRO MORENO	50.00	01-40-4293		18340	43583
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-KIWANIS 7 REBECCA DAVIS	50.00	01-40-4293		18340	43584
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-KIWANIS 7 MICHAEL O'MALLEY	50.00	01-40-4293		18340	43585
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-EHLERT 7/ MICHELLE MOWINSKI	30.00	01-40-4293		18340	43586
REFUND - PICNIC DEPOSIT	PICNIC DEPOSIT-KIWANIS 7 TOMARO HARPER	30.00	01-40-4293		18340	43587
CANON BUSINESS SOLUTIONS, INC	SUPPLY INCL PRG-IRC3480	51.20	01-40-5350	629524	3102	43589
DIAMOND TOURS, INC.	CAPE COD OUTING	23,060.00	01-46-5560		4453	43590
NANCY HERATY	YOGA PROGRAM-6/6-7/8/11	495.00	01-48-5450		8375	43591
LAIDLAW TRANSIT, INC.	CAMP OUTING	210.00	01-43-5560	102052	12200	43592
LAIDLAW TRANSIT, INC.	CAMP OUTING	221.00	01-43-5560	102051	12200	43592
LAIDLAW TRANSIT, INC.	CAMP OUTING	210.00	01-43-5560	102050	12200	43592
STAPLES ADVANTAGE	OFFICE SUPPLIES	45.95	01-40-5670	658272	19630	43593
STAPLES ADVANTAGE	OFFICE SUPPLIES	16.67	01-52-5690		19630	43593
VILLAGE OF BROOKFIELD	P/R DATED 7/8/11	2,298.99	01-40-5025		22690	70811

VILLAGE OF BROOKFIELD
RUN - 7/25/11

RECREATION WARRANT DISBURSEMENTS REGISTER
WARRANT NUMBER 256

PAGE 2
-GL0090-

VENDOR NAME	DESCRIPTION OF EXPENDITURE	AMOUNT	ACCT NO	INVOICE NUMBER	VENDOR NUMBER	CHECK NUMBER
VILLAGE OF BROOKFIELD	P/R DATED 7/8/11	4,182.64	01-40-5035		22690	70811
	TOTAL EXPENDITURES	31,510.45 =====	1-00-1021			

ORDINANCE NO. 2011 - 40

**AN ORDINANCE AMENDING CHAPTER 3 OF VILLAGE OF BROOKFIELD
CODE OF ORDINANCES TO INCREASE THE MAXIMUM NUMBER OF
CLASS 8 LIQUOR LICENSES**

**PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 25TH DAY OF JULY 2011**

Published in pamphlet form by
authority of the Corporate
Authorities of Brookfield, Illinois,
the 25th day of July 2011

ORDINANCE NO. 2011 - 40

**AN ORDINANCE AMENDING CHAPTER 3 OF VILLAGE OF BROOKFIELD
CODE OF ORDINANCES TO INCREASE THE MAXIMUM NUMBER OF
CLASS 8 LIQUOR LICENSES**

WHEREAS, the Village of Brookfield is authorized by the Illinois Municipal Code, 65 ILCS 5/4-1, to regulate and restrict the licensing of retail liquor establishments within the boundaries of the Village;

WHEREAS, Section 03-32 of the Village of Brookfield Code of Ordinances, as amended, provides for the issuance of a Class 8 liquor license, which is temporary in nature, for the retail sale of alcoholic liquor to be consumed on the premises in conjunction with events of short duration such as festivals, picnics and banquets by certain not-for-profit organizations or other public function the Liquor Commissioner deems appropriate;

WHEREAS, Section 03-34, as amended by Ordinance No. 2011-38, of the Village of Brookfield Code of Ordinances provides that the number of Class 8 liquor licenses shall not exceed three (3);

WHEREAS, one of the three previously issued Class 8 liquor licenses is now terminated pursuant to Section 03-35 of the Village of Brookfield Code of Ordinances;

WHEREAS, the available Class 8 liquor licenses have been issued to other applicants;

WHEREAS, there is an application currently pending for the issuance of an additional Class 8 liquor license submitted by St. Nikola Serbian Orthodox Church for a

festival to be held at St. Nikola Serbian Orthodox Church, 4301 South Prairie Avenue, Brookfield, Illinois, on August 27, 2011, through August 28, 2011;

WHEREAS, the corporate authorities of the Village of Brookfield deem it to be in the best interests of the Village and its residents to create a Class 8 liquor license to accommodate the currently pending license application;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Brookfield as follows:

Section 1. Recitals.

The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Creation of a Class 8 Liquor License.

Section 03-34 entitled "Limitation on the Number of Licenses" of the Village of Brookfield Code of Ordinances, as amended, be and is hereby further amended to read as follows:

- (1) The total number of Class 1 licenses shall not exceed four (4).
- (2) The total number of Class 2 licenses shall not exceed twelve (12).
- (3) The total number of Class 2A licenses shall not exceed zero (0).
- (4) The total number of Class 2B licenses shall not exceed one (1).
- (5) The total number of Class 2C licenses shall not exceed one (1).
- (6) The total number of Class 3 licenses shall not exceed seven (7).
- (7) The total number of Class 4 licenses shall not exceed two (2).
- (8) The total number of Class 5 licenses shall not exceed three (3).
- (9) The total number of Class 5A licenses shall not exceed zero (0).

- (10) The total number of Class 6 licenses shall not exceed two (2).
 - (11) The total number of Class 7 licenses shall not exceed one (1).
 - (12) The total number of Class 7A licenses shall not exceed (1).
 - (13) The total number of Class 8 licenses shall not exceed three (3).
 - (14) The total number of Class 9 licenses shall not exceed zero (0).
 - (15) The total number of Class 10 licenses shall not exceed one (1).
 - (16) The total number of Class 11 licenses shall not exceed zero (0).
 - (17) The total number of Class 11A licenses shall not exceed zero (0).
 - (18) The total number of Class 12 licenses shall not exceed one (1).
 - (19) The total number of Class S licenses shall not exceed five (5).
 - (20) The total number of Class S1 licenses shall not exceed one (1).
 - (21) The total number of Class B licenses shall not exceed zero (0).
- [THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.]

Section 3. Effective Date.

This Ordinance shall take effect upon its passage, approval and publication in pamphlet form.

ADOPTED this 25th day of July 2011 pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this 25th day of July 2011.

Michael J. Garvey, President of the
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office
and published in pamphlet form
this 25th day of July 2011.

Brigid Weber, Clerk of the Village
of Brookfield, Cook County, Illinois

ORDINANCE NO. 2011 - 41

**AN ORDINANCE AMENDING CHAPTER 7 ENTITLED ABUSINESSES, TRADES
AND OCCUPATIONS OF THE CODE OF ORDINANCES,
VILLAGE OF BROOKFIELD, ILLINOIS,
REGULATING SOLICITORS**

**PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 25TH DAY OF JULY 2011**

Published in pamphlet form by
authority of the Corporate Authorities
of the Village of Brookfield, Illinois,
this 25th day of July 2011.

ORDINANCE NO. 2011 - 41

**AN ORDINANCE AMENDING CHAPTER 7 ENTITLED BUSINESSES, TRADES
AND OCCUPATIONS OF THE CODE OF ORDINANCES,
VILLAGE OF BROOKFIELD, ILLINOIS,
REGULATING SOLICITORS**

WHEREAS, in the opinion of a majority of the corporate authorities of the Village of Brookfield, it is advisable, necessary and in the public interest that the Village of Brookfield amend its Code of Ordinances to regulate solicitors in the Village of Brookfield;

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

Section 1. Amendment of Chapter 7

Chapter 7 entitled "Businesses, Trades and Occupations of the Code of Ordinances, Village of Brookfield, Illinois, as amended, is hereby further amended by adding thereto Article XV entitled Solicitation to read as follows:

ARTICLE XV SOLICITATION

SEC. 07-175 Findings and Purpose

- A. It is hereby determined that:
 - 1. Uninvited visits to private residential properties and privately owned businesses for the purposes of soliciting funds, goods, wares, merchandise or services by persons and organizations have been occurring and continue to occur within the Village.
 - 2. Residents and business owners have complained that these activities are intrusive upon their privacy and disruptive to their daily activities.

3. A variety of misrepresentations and other frauds are at times employed in such activities.

4. Burglaries and attacks on persons in their homes have occurred by persons claiming to be solicitors.

5. The Village has a legitimate and substantial interest in promoting the public health, safety, welfare of its residents by preventing fraudulent or criminal activities which may result from unregulated solicitation.

6. Noncommercial speech is entitled to broader protection under the First Amendment to the United States Constitution than commercial speech, affording the Village a greater ability to regulate commercial speech than noncommercial speech.

7. An effective way to promote and protect persons' safety and privacy is by reasonably limiting the hours of solicitation and requiring solicitors to obtain permits in a content-neutral manner. Allowing individuals to determine their level of comfort with privacy and whether or not they want to receive solicitation will promote the Village's interest in promoting public safety and protecting individuals' privacy, while respecting solicitors' interests in effective distribution of information. A reasonable accommodation of these competing interests can be achieved by adoption of this Article, which regulates the time, place and manner of solicitations.

B. Based on the findings described above, it is further found that there is a need for narrowly tailored reasonable time, place and manner restrictions regarding soliciting within the Village so as to accomplish the following, to the extent

reasonably possible:

1. Provide for the safety of the public and property;
2. Deter fraud and crime by determining the identity of solicitors by requiring solicitors to obtain a permit prior to soliciting within the Village;
3. Restrict the unreasonable interference with privacy by reasonably restricting the hours of solicitation activities;
4. Prohibit the solicitation of occupants of property when the occupant has posted a sign prohibiting such activities; and
5. Respect the solicitors' interests in effective distribution of information.

SEC. 07-176 Definitions

The following words, terms and phrases, when used in this Article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. **Applicant** means any person or entity that has filed an application for a commercial or noncommercial solicitation permit as hereinafter provided.
- B. **Charitable organization** means (1) any benevolent, philanthropic, patriotic, or eleemosynary person, or one purporting to be such, which solicits and collects funds for charitable purposes and includes each local, county or area division of such charitable organization, provided such local, county or area division has authority and discretion to disburse funds or property otherwise than by transfer to any parent organization; (2) a not-for-profit organization incorporated pursuant to 805 ILCS 110/0.01 & 805 ILCS 110/35; or (3) any other organization that has been granted tax-exempt status from the State of Illinois or the Internal Revenue Service pursuant to Section 501(c)(3) of the Internal Revenue Code.
- C. **Charitable purpose** means any charitable, benevolent, philanthropic, patriotic, or eleemosynary purpose.

D. **Commercial solicitation** means solicitation which is not conducted for any charitable purpose or political purpose, or on behalf of any charitable organization, as those terms are defined herein.

E. **Noncommercial solicitation** means solicitation for a charitable purpose or political purpose, or on behalf of a charitable organization, as those terms are defined herein.

F. **Nonresidential premises** means and includes all buildings, structures, and units in the Village occupied for nonresidential purposes.

G. **Political purpose** means any activity in support of bona-fide candidates for public office, or any matter related to the election, nomination, or performance of public officials, or issues presented to the electorate at any election.

H. **Residence** means and includes every separate living unit in the Village occupied for residential purposes by one (1) or more persons, contained within any type of building or structure.

I. **Solicit** means to engage in any acts of solicitation as defined herein.

J. **Solicitation** means the act of any person traveling by foot, vehicle or any other type of conveyance who goes from residence to residence, business to business, from place to place or in or along any highway, street or sidewalk within the Village either: (1) requesting, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value; (2) taking or attempting to take orders for the sale of any goods, wares, merchandise or services of any kind, or description for future delivery or for services to be performed in the future, in person or by the in person distribution of flyers and leaflets; and (3) selling and making immediate delivery any goods, wares, merchandise or services of any kind or description, commonly referred to as "peddling."

Solicitation shall not include the following so long as the person is not requesting, either directly or indirectly, money, credit, funds, contributions, personal property or anything of value: (1) A person communicating or otherwise conveying ideas, views or beliefs or otherwise disseminating oral or written information to a person willing to directly receive such information, provided that such information is of a political, religious or charitable nature; (2) A person seeking to influence the personal belief of the occupant of any residence or business in regard to any political or religious matter; (3) A person seeking to obtain, from an occupant of any residence or business, an indication of the occupant's belief in regard to any political or religious matter; (4) A person conducting a poll, survey or petition drive in regard to any political matter; and (5) A person carrying, conveying, delivering or transporting dairy products, newspapers or other goods to regular customers on established routes or to the premises of any person who had previously ordered such products or goods and is entitled to receive the same. Solicitation shall also

not include seeking or obtaining nominal contributions such as gifts, food, candy or contributions of money as is customarily and commonly known as “trick-or-treat” in the celebration of Halloween day.

SEC. 07-177 Administration

A. The Village Clerk shall have the following powers and duties, which shall at all times be performed without consideration of the content or viewpoint of the information being distributed by a solicitor:

1. To administer and rule upon the applications for, and the issuance, renewal, suspension, denial and revocation of permits as set forth in this Article.

2. To take such further actions as the Village Clerk shall deem necessary to carry out the purposes and intent of this Article and to exercise such additional powers in furtherance thereof as are implied or incident to those powers and duties expressly set forth in this Article.

B. The powers and duties of the Village Clerk under this Article may be exercised by any Deputy Village Clerk appointed as provided by law.

SEC. 07-178 Solicitation Permits.

A. Solicitation Permit Required. A Commercial or Non-commercial solicitation permit shall be required to solicit within the Village.

B. Solicitation Without Permit Prohibited. It shall be unlawful for any person not in possession of a current and valid Commercial or Non-commercial solicitation permit to solicit within the Village at any time after the effective date of this Article.

C. Solicitation Without Permit Displayed. It shall be unlawful for any person to solicit within the Village at any time that a current and valid Commercial or Non-

commercial solicitation permit is not displayed in plain view on the person who is soliciting after the effective date of this Article.

D. Solicitation in Violation of Permit Prohibited. It shall be unlawful for any holder of a Commercial or Non-commercial solicitation permit to solicit except in the manner authorized by, and in compliance with, the provisions of this Article.

E. Assignment or Transfer of Permit Prohibited. It shall be unlawful for any holder of a Commercial or Non-commercial solicitation permit to assign or transfer a Commercial or Non-commercial solicitation permit.

SEC. 07-179 Solicitation Restrictions.

A. It shall be unlawful for any person to go in or upon, ring the bell, knock on the door of or attempt to gain admission to any residence, dwelling, apartment or nonresidential premises which is posted with a sticker or sign bearing the words "No Trespassing," "No Peddlers," "No Solicitors" or any other similar notice indicating in any manner that the occupants of such residence or nonresidential premises desire not to be disturbed or to have their rights of privacy disturbed for the purpose of soliciting, unless such occupant has specifically requested or invited such solicitation. For convenience, the Village Manager may make available to Village residents stickers or weatherproof cards bearing notice of the type herein described for posting on or near the main entrance door to any residence or nonresidential premises.

B. It shall be unlawful for any person to go in or upon, ring the bell, knock on the door of or attempt to gain admission to any residence, dwelling, apartment or nonresidential premises for the purpose of conducting solicitation at any time after

9:00 p.m. or before 8:00 a.m. on any day, unless such person has been requested or invited by the owner or adult occupant of the premises to be thereupon for such purposes.

C. It shall be unlawful for any person conducting solicitation at any residence or nonresidential premises to fail to leave and to fail to cease conducting solicitation at such residence or nonresidential premises immediately upon receiving, from any person present at such residence or nonresidential premises, a request to leave or cease conducting solicitation.

D. It shall be unlawful for any person to conduct solicitation in or on any sidewalk or other public property, way or place in a manner that completely or substantially impedes the flow of pedestrian or vehicular traffic in, on or around such sidewalk or public property, way or place. No person conducting solicitation shall have the exclusive right to any sidewalk or other public property, way or place, nor to establish a permanent stationary location for such solicitation.

E. Notwithstanding the provisions of Section 17-50, entitled "Solicitation on Highways," of Chapter 17 of this Code of Ordinances, it shall be unlawful for any person to conduct solicitation of employment, business, or sales of any kind from the occupant of any vehicle traveling upon any street or highway when:

1. The solicitation or collection causes the person performing the activity to enter onto the traveled portion of a street or highway; or
2. The solicitation or collection involves the person performing the activity to be located upon any median area which separates traffic lanes for vehicular travel in opposite directions; or

3. The person performing the activity is located such that vehicles cannot move into a legal parking area to safely conduct the transaction.

For purposes of this section, the traveled portion of the street or highway shall mean that portion of the road normally used by moving motor vehicle traffic.

- F. A violation of this section is hereby defined to be a public nuisance.

SEC. 07-180 Commercial Solicitation Permit.

A. Applications for a Commercial Solicitation permit shall be made on forms provided by the Village Clerk. The applications shall be provided by the Village Clerk immediately upon request. The applicant shall verify under oath or other similar affirmation that the statements made by the applicant in the application are true, complete and accurate. The application shall contain the following:

1. The applicant's name and current residence address, and the applicant's business address, if other than residence address;
2. The applicant's social security number and the applicant's driver's license number or other official form of identification, if any;
3. A current photograph of the applicant;
4. A brief physical description of the applicant, including height, weight, and hair and eye color;
5. The name and address of the applicant's current employer or person or entity on whose behalf the applicant is conducting commercial solicitation;
6. A brief description of the subject matter of the applicant's solicitation;
7. The dates for which the applicant seeks a commercial solicitation permit;

8. Information regarding the use or revocation of prior commercial solicitation permits issued to the applicant by the Village, if any, including the date, or approximate date, of the last previous application for a commercial solicitation permit from the Village, if any;

9. Information regarding prior or current violations, if any, by the applicant of any of the provisions of this Article, or the solicitation regulations of any other local, state, or federal government; and

10. Information regarding any prior conviction of the applicant of a felony under the laws of the State of Illinois, any other state, or the United States.

B. If, during the pendency of any application for, or during the term of, any commercial solicitation permit there is any change in any material information given in the application for such permit, the applicant shall promptly notify the Village Manager in writing of such change.

C. Within five (5) business days of receipt of an application for a Commercial Solicitation permit, the Village Clerk shall grant the application and issue the permit provided that the applicable requirements contained in Section 07-181 are satisfied. If the requirements contained in Section 07-181 are not satisfied, the Village Clerk shall, within five (5) business days of receipt of the application for a permit, deny the application and state the reasons in writing for such denial. If the Village Clerk fails, within five (5) business days of receipt of the application for a permit, to act on the application, then, provided that the permit fee has been paid, the application shall be considered granted. The Village Manager shall cause to be kept in the Village records an accurate record of every commercial solicitation permit application

received and acted upon together with all other information and data pertaining thereto, including commercial solicitation permits issued or denied under the provisions of this section.

D. The fee for each Commercial Solicitation permit shall be Twenty-five Dollars (\$25.00).

E. A Commercial Solicitation permit shall expire on December 31 of the year of its issuance.

F. A Commercial Solicitation permit may be renewed by the applicant by reaffirming that the information in the prior application remains true, complete and accurate or by submitting in a new application with any information that has changed from the prior application and provided that the applicable requirements contained in Section 07-181 are satisfied.

SEC. 07-181 Commercial Solicitation Permit Requirements

A. A commercial solicitation permit shall be subject to, and granted upon, the following conditions, restrictions and requirements:

1. The material statements made in the application are true;
2. The applicant has not been convicted of a felony under the laws of the State of Illinois, any other state, or the United States within five (5) years of the date of the application;
3. The applicant has not had a previously issued commercial solicitation permit revoked by the Village within five (5) years of the date of the application;
4. The applicant has not been convicted of violating any provisions of

this Article within five (5) years of the date of the application;

5. The application is accompanied by a current photograph of the applicant;

6. The applicant has paid the commercial solicitation permit fee.

SEC. 07-182 Non-commercial Solicitation Permit.

A. Applications for a Non-commercial Solicitation permit shall be made on forms provided by the Village Clerk. The applications shall be provided by the Village Clerk immediately upon request. The applicant shall verify under oath or other similar affirmation that the statements made by the applicant in the application are true, complete and accurate. The application shall contain the following:

1. The applicant's name and current residence address;

2. The applicant's social security number and the applicant's driver's license number or other official form of identification, if any;

3. A current photograph of the applicant;

4. A brief physical description of the applicant, including height, weight, and hair and eye color;

5. The dates for which the applicant seeks a commercial solicitation permit;

6. Information regarding the revocation of prior Non-commercial solicitation permits issued to the applicant by the Village, if any;

7. Information regarding prior or current violations, if any, by the applicant of any of the provisions of this Article, or the solicitation regulations of any other local, state, or federal government;

8. Information regarding any prior conviction of the applicant of a felony under the laws of the State of Illinois, any other state, or the United States;
9. The name of the organization the applicant represents, if any, and the name or names of the organization on behalf of which the applicant intends to solicit contributions;
10. The name and address of the organization's registered agent for service in Illinois and in the state in which the organization was legally established;
11. The principal address of the organization the applicant represents, if any, and the address of its principal office in Illinois, if different. If the organization does not maintain a principal office, the name and address of the location where the records of the organization are maintained;
12. The charitable purpose of the organization and evidence of its tax exempt status.

B. If, during the pendency of any application for or during the term of, any Non-commercial solicitation permit there is any change in any material information given in the application for such permit, the applicant shall promptly notify the Village Manager in writing of such change.

C. Within five (5) business days of receipt of an application for a Non-commercial Solicitation permit, the Village Clerk shall grant the application and issue the permit provided that the applicable requirements contained in Section 07-181 are satisfied. If the requirements contained in Section 07-181 are not satisfied, the Village Clerk shall, within five (5) business days of receipt of the

application for a permit, deny the application and state the reasons in writing for such denial. If the Village Clerk fails, within five (5) business days of receipt of the application for a permit, to act on the application, then, provided that the permit fee has been paid, the application shall be considered granted. The Village Manager shall cause to be kept in the Village records an accurate record of every commercial solicitation permit application received and acted upon together with all other information and data pertaining thereto, including Non-commercial solicitation permits issued or denied under the provisions of this section.

D. There shall be no permit fee for a Non-commercial Solicitation permit.

E. A Non-commercial Solicitation permit shall expire on December 31 of the year of its issuance.

F. A Non-commercial Solicitation permit may be renewed by the applicant by reaffirming in writing that the information in the prior application remains true, complete and accurate or by submitting in a new application with any information that has changed from the prior application and provided that the applicable requirements contained in Section 07-182 are satisfied.

SEC. 07-183 Non-commercial Solicitation Permit Requirements

A. A Non-commercial solicitation permit shall be subject to, and granted upon, the following conditions, restrictions and requirements:

1. The material statements made in the application are true;
2. The applicant has not been convicted of a felony under the laws of the State of Illinois, any other state, or the United States within five (5) years of the date of the application;

3. The applicant has not had a previously issued Non-commercial solicitation permit revoked by the Village within five (5) years of the date of the application;
4. The applicant has not been convicted of violating any provisions of this Article within five (5) years of the date of the application;
5. The application is accompanied by a current photograph of the applicant;
6. The solicitation will be conducted for a charitable purpose.

SEC. 07-184 Revocation of Permits.

The Village Clerk shall revoke any permit issued under the provisions of this Article after a finding that any of the following causes exists:

- A. Fraud, misrepresentation or any false statement contained in the application for a permit;
- B. Failure, following thirty (30) days after the expiration of any appeal rights, to pay any penalty assessed under this Article;
- C. Violation of any term of the permit granted to the holder of a permit;
- D. Violation of any provision of this Article.

SEC. 07-185 Appeal of Decisions of the Village Clerk.

Any decision of the Village Clerk under this Article shall be appealable. Any person aggrieved by a decision of the Village Clerk shall have the right to appeal the decision to the Village Manager, provided that the applicant files a written notice of appeal, including a statement of the grounds of appeal, with the Village Manager within fifteen (15) calendar days after notice of the decision of the Village Clerk. The Village Manager shall set a

hearing on the appeal within ten (10) calendar days after receipt of the written notice of appeal and notice of the time and place shall be given to the aggrieved party. The Village Manager shall have the power to reverse, affirm or modify the decision of the Village Clerk. In making its determination, the Village Manager shall only consider the standards set forth in this Article. The Village Manager's decision shall be rendered the same day as the hearing. The failure of the Village Manager to set or conduct a hearing in accordance with the requirements of this section shall be considered a denial of the appeal. The decision of the Village Manager shall be a final administrative decision subject to judicial review under the Illinois Administrative Review Law in the Circuit Court of Cook County, Illinois.

SEC. 07-186 Penalties.

Any person or entity who shall be guilty of a violation of any of the provisions of this Article shall be subject to a fine of not less than seventy-five dollars (\$75.00) and not more than seven hundred fifty dollars (\$750.00). A separate offense shall be deemed committed for every day a violation continues. The provisions of this section shall not limit any other remedies authorized by law.

SEC. 07-187 Severability.

If any section, subsection, sentence, clause or phrase of this Article is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Article.

Section 2. Conflict.

Any ordinance or portion of any ordinance in conflict with the provisions of this ordinance is repealed solely to the extent of said conflict.

Section 3. Effective Date of Ordinance.

This Ordinance shall be in effect from and after July 25, 2011 or ten (10) days from and after its passage, approval and publication in pamphlet form as provided by law, whichever is the last to occur.

ADOPTED this 25th day of July 2011 pursuant to roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this 25th day of July 2011.

Michael J. Garvey, President of the
Village of Brookfield, Cook County, Illinois

ATTEST:

Brigid Weber, Village Clerk of the
Village of Brookfield, Cook County, Illinois

RESOLUTION NO. 2011- 846

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSULTING
AGREEMENT BETWEEN GCG FINANCIAL, INC. AND THE VILLAGE OF
BROOKFIELD, ILLINOIS**

PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 25th DAY OF JULY 2011

RESOLUTION NO. 2011-846

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSULTING
AGREEMENT BETWEEN GCG FINANCIAL, INC. AND THE VILLAGE OF
BROOKFIELD, ILLINOIS**

WHEREAS, the Village of Brookfield desires to engage GCG Financial, Inc. to provide strategic benefit planning, design, funding, administration and communication with respect to the village's employee benefit programs; and

WHEREAS, in the opinion of a majority of the corporate authorities of the Village of Brookfield, it is advisable, necessary and in the public interest that the Village of Brookfield enter into a Consulting Agreement with GCG Financial, Inc. to provide strategic benefit planning, design, funding, administration and communication with respect to the village's employee benefit programs;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BROOKFIELD, COOK COUNTY, ILLINOIS, as follows:

Section 1: It is hereby determined that it is advisable, necessary and in the public interest that the Village of Brookfield enter into a Consulting Agreement with GCG Financial, Inc. to provide strategic benefit planning, design, funding, administration and communication with respect to the village's employee benefit programs .

Section 2: The President be and is hereby authorized and directed to execute and the Village Clerk be and is hereby authorized and directed to attest and to place the municipal seal on a Consulting Agreement with GCG Financial, Inc. to provide strategic

benefit planning, design, funding, administration and communication with respect to the village's employee benefit programs.

Section 3: This Resolution shall be in full force and effect upon its passage and approval in accordance with law.

ADOPTED this 25th day of July 2011, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me 25th day of July, 2011.

Michael J. Garvey, President of the
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office,
this 25th day of July, 2011.

Brigid Weber, Clerk of the Village
of Brookfield, Cook County, Illinois

Exhibit A
CONSULTANT SERVICES AGREEMENT

Consulting Agreement

This Consulting Agreement, hereinafter referred to as “Agreement” is between Village of Brookfield, hereinafter referred to as “Client” and GCG Financial, Inc., hereinafter referred to as “Consultant.”

WHEREAS, Client wishes to obtain the assistance of Consultant with strategic benefit planning, design, funding, administration, and communication with respect to its employee benefit programs;

WHEREAS, Consultant has superior knowledge and expertise in assisting employers with designing and servicing employee benefit plans; and

WHEREAS, the parties wish to set forth their respective expectations;

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, the parties hereby agree as follows:

1. Scope of Services to be Provided by Consultant

Consultant will provide Client with consulting, actuarial, and brokerage services for the following compensation and benefit programs listed below:

- Medical (including retirees)
- Prescription Drugs
- Vision
- Dental
- Life Insurance

A. Strategic Benefit Planning. Consultant will provide assistance in developing overall plan benchmarks and targets to ensure that the plan meets the objectives of Client and its employees.

B. Benefit Design. Consultant will help to ensure that benefit designs are consistent with the strategic benchmarks and targets set forth in the strategic benefit planning process.

C. Administration. Consultant will identify core administrative services, assess vendor performance, and manage vendor relationships to provide appropriate program administration. Services will also include the development of a performance guarantee agreement between Client and its third party administrator if appropriate.

D. Funding. Consultant will advise and counsel regarding program funding alternatives, including review fee proposals, recommend budget rates, employee contribution rates, and COBRA rates; select and procure appropriate stop loss terms; and monitor program costs against expectations.

E. Communication. Consultant will assist in drafting and implementing employee communications regarding benefit program performance and changes, and assist in the review of plan documents and insurance certificates during the planning and enrollment process.

- F. Compliance Tools & Legislative Information.** Consultant will provide informational materials on legislative developments impacting employee benefit plans, including access to online reference tools on topics such as FMLA, COBRA, HIPAA, HIPAA Privacy, and Section 125.
- G. Meetings with Client and Vendors.** Services will include attendance at and facilitation of regular meetings with Client and vendors as needed to facilitate program management including day-to-day operations and planning program changes.
- Consultant shall meet with Client on a quarterly basis to review all activities performed by Consultant during the prior quarter. The meetings will include discussion of business concerns, including presentations of options and recommendations.
 - Consultant shall meet with Client semi-annually to discuss review of the program, state of the marketplace, progress made toward strategic plan, and developments within Client's organization.
 - Consultant shall meet with Client, at a minimum, annually to review the stewardship report for the preceding year, create a stewardship report outlining the goals and objectives for the upcoming year, and agree upon Consultant's fees for the next twelve month period.
 - **Day-to-Day Administrative Issues.** Consultant shall provide assistance in the daily administration of programs, including resolution of vendor service issues and addressing questions and concerns raised by Client's employees and management.
- H. Stewardship Report.** Consultant will develop and implement a detailed account stewardship plan, which should include, but not be limited to, the following:
- Specific goals and objectives for Consultant's team relating to Client's programs; and
 - Detailed work plans which lay out the account management plan, work schedules, areas of concentration, timing, and information requirements.
- I. Data Analysis.** Upon receipt of acceptable claims data, Consultant will provide Client with a) a summary health plan management report analyzing health care claims paid during the previous [twelve month period];

2. Disclosure and Record Keeping

- A. Full Disclosure.** Client has the right to approve any arrangements and/or the utilization of any intermediaries in connection with, or arising out of, or in any way related to Client's insurance and risk management program. Consultant must seek approval from Client prior to the use of any of the above in connection with the Client's insurance and risk management program.
- B. Record Keeping.** Consultant will maintain accurate and current files including, but not limited to, insurance policies and correspondence with insurers or brokers in accordance with industry standard record retention practice or as otherwise directed by Client.

3. Term & Termination

- A. Term.** This initial term of this Agreement shall be one year, commencing on July 1, 2011 and ending June 30, 2012 ("Initial Term"). Thereafter, this Agreement will remain in effect until terminated as described below.
- B. Termination.** This Agreement may be terminated by either party only as follows:

- a) Effective upon thirty (30) days advance written notice to the other party stating that such other party is in breach of any of the provisions of this Agreement, provided such breach (if able to be cured) is not cured within fifteen (15) days after the notice is received;
- b) effective upon six (60) days advance written notice to the other party given with or without reason; provided such notice is given after the Initial Term; or
- c) By mutual written agreement of the parties.

4. Cost of Services

Consultant professional fees are based upon time expended by specific individuals. The fees do not include out-of-pocket expenses, including expenses related to travel outside of the state. Client agrees to pay Consultant professional fees as outlined in Exhibit 1. These annual fees are payable in monthly installments and Consultant agrees to submit invoices to Client on a monthly basis.

Additional programs and services will be provided on a project basis for an additional fee to be disclosed in writing and shall be undertaken upon mutual agreement between Consultant and Client. Such programs and services may include, but not be limited to, retiree medical plans, special employee surveys, employee communication materials, and long-term care insurance. Commissions on ancillary lines of coverage will be retained by Consultant.

5. Personnel

Consultant will assign its personnel according to the needs of Client and according to the disciplines required to complete the appointed task in a professional manner. Consultant retains the right to substitute personnel with reasonable cause. The Account Management Team consists of the following individuals:

Primary Service Team: Catherine Loney, Vice President of Public Sector
 Brad Shaps, Senior Benefits Consultant
 Mary Wilson, Account Manager

Additional Key Resources: Patty Wells, Client Services Representative
 Jeff Kolker, Vice President Employee Benefits

6. Client's Responsibilities

Client will make available such reasonable information as required for Consultant to conduct its services. Such data will be made available as promptly as possible. It is understood by Consultant that the time of Client's personnel is limited, and judicious use of that time is a requirement of this Agreement. Client will make timely payments of the service fees as set forth elsewhere in this Agreement.

7. Records and Information

Consultant understands and agrees to limit its use and disclosure of protected health information as described in Exhibit 2.

- 8. Independent Contractor.** It is understood and agreed that Consultant is engaged by Client to perform services under this Agreement as an independent contractor. Consultant shall use its best

efforts to follow written, oral, or electronically transmitted (i.e., sent via facsimile or e-mail) instructions from Client as to policy and procedure.

9. Fiduciary Responsibility.

Client acknowledges that: (i) Consultant shall have no discretionary authority or discretionary control respecting the management of any of the employee benefit plans; (ii) Consultant shall exercise no authority or control with respect to management or disposition of the assets of Client's employee benefit plans; and (iii) Consultant shall perform services pursuant to this Agreement in a non-fiduciary capacity. Client agrees to notify Consultant as soon as possible of any proposed amendments to the plans' legal documents to the extent that the amendments would affect Consultant in the performance of its obligations under this Agreement. Client agrees to submit (or cause its agent, consultants, or vendors to submit) all information in its (or their) control reasonably necessary for Consultant to perform the services covered by this Agreement.

10. Entire Agreement

This constitutes the entire Agreement between the parties, and any other warranties or agreements are hereby superseded.

Subsequent amendments to this Agreement shall only be in writing signed by both parties.

Village of Brookfield, Illinois

Date: _____

By: _____

Michael J. Garvey,
Village President

ATTEST:

By: _____

Brigid Weber, Village Clerk

GCG Financial, Inc.

Date: _____

By: _____

Alan Levitz,
President

ATTEST:

By: _____

David Levitz, Secretary

Exhibit 1

Consulting Fees

First Year	
Description	Fee
Develop a new program, including <ul style="list-style-type: none"> ▪ Develop a strategic plan ▪ Conduct cost analysis and market study ▪ Perform critical factor analysis ▪ Recommend plan design changes ▪ Evaluate retiree medical plans ▪ Prepare management for union negotiations ▪ Monitor plan performance 	\$1,583.33 monthly fee
Implementation Variables <ul style="list-style-type: none"> ▪ Establish an implementation time line ▪ Analyze current PPO networks ▪ Review alternative vendors/insurers/TPA's ▪ Establish performance guarantees for TPA ▪ Communicate plan design changes* ▪ Provide Client with access to MyWave™ 	*Printing costs not included
Employee Perception Variable <ul style="list-style-type: none"> ▪ Test employee perceptions using employee surveys ▪ Develop focus group questions ▪ Analyze results 	
Actuary Analysis	Not included

AMENDMENT TO THE CONSULTING AGREEMENT

WITH

GCG FINANCIAL, INC.

This Amendment to the Consulting Agreement made this ____ day of July, 2011, between the Village of Brookfield, Illinois (the "Village"), an Illinois municipal corporation, and GCG Financial, Inc., an Illinois corporation ("GCG"), for strategic benefit planning, design, funding, administration and communication with respect to the village's employee benefit programs amends and modifies the terms and conditions of the Consulting Agreement and the terms and conditions of this Amendment are hereby incorporated into the Consulting Agreement. To the extent that the terms and conditions of this Amendment are inconsistent with the terms and conditions of the Consulting Agreement, the terms and conditions of this Amendment shall supersede the inconsistent terms and conditions of the Consulting Agreement.

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged GCG hereby agrees as hereinafter set forth:

1. **Certifications.**

- 1.1 GCG shall submit to the Village a certification that GCG, its shareholders holding more than five percent (5%) of the outstanding shares of the GCG, its officers and directors are:
 - 1.1.1 not delinquent in the payment of taxes to the Illinois Department of Revenue in accordance with 65 ILCS 5/11-42.1-1;
 - 1.1.2 not barred from contracting as a result of a violation of either Section 33E-3 (bid-rigging) or 33E-4 (bid-totaling) of the Criminal Code of 1961 (720 ILCS 5/33E-3 and 5/33E-4);
 - 1.1.3 not in default, as defined in 5 ILCS 385/2, on an educational loan, as defined in 5 ILCS 385/1.
- 1.2 In addition, GCG shall represent and warrant to the Village that as a condition of any Agreement with the Village that:
 - 1.2.1 GCG maintains and will maintain a drug free workplace in accordance with the Drug Free Workplace Act (30 ILCS 580/1 *et seq.*);
 - 1.2.2 GCG provides equal employment opportunities in accordance with the Illinois Human Rights Act (775 ILCS 5/1-101 *et seq.*)

- 1.2.3** GCG is in compliance with 775 ILCS 5/2-105(A)(4) requiring a written sexual harassment policy;
- 1.2.4** no Village official, spouse or dependent child of a Village official, agent on behalf of any Village official or trust in which a Village official, the spouse or dependent child of a Village official or a beneficiary is a holder of more than five percent (5%) of GCG in accordance with Code of Ordinances of the Village of Brookfield, Chapter 3, Article XI;
- 1.2.5** no officer or employee of the Village has solicited any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer from the bidder in violation of Chapter 2, Article XIX of the Code of Ordinances of the Village of Brookfield; and
- 1.2.6** GCG has not given to any officer or employee of the Village any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer in violation of Chapter 2, Article XIX of the Code of Ordinances of the Village of Brookfield.

Village:

GCG:

Village of Brookfield, Illinois

GCG Financial, Inc.

By: _____
Michael J. Garvey,
Village President

By: _____
Alan Levitz, President

ATTEST:

ATTEST:

By: _____
Brigid Weber, Village Clerk

By: _____
David Levitz, Secretary

CONSULTANT'S CERTIFICATION

I, Alan Levitz, hereby certify, represent and warrant to the Village of Brookfield, Illinois (the "Village"), as a condition of any Agreement with the Village that GCG, its shareholders holding more than five percent (5%) of the outstanding shares of GCG, its officers and directors are:

1. not delinquent in the payment of taxes to the Illinois Department of Revenue in accordance with 65 ILCS 5/11-42.1-1;
2. not barred from contracting as a result of a violation of either Section 33E-3 (bid-rigging) or 33E-4 (bid-totaling) of the Criminal Code of 1961 (720 ILCS 5/33E-3 and 5/33E-4);
3. not in default, as defined in 5ILCS 385/2, on an educational loan, as defined in 5ILCS 385/1.

In addition, GCG hereby represents and warrants to the Village as a condition of any Agreement with the Village that GCG:

Pursuant to 30 ILCS 580/1 *et seq.* ("Drug-Free Workplace Act"), will provide a drug-free workplace by:

- A. Publishing a statement:
 1. Notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance including cannabis, is prohibited in GCG's workplace.
 2. Specifying the actions that will be taken against employees for violations of such prohibition.
 3. Notifying the employee that, as a condition of employment on this Agreement, the employee will:
 - a. abide by the terms of the statement;
 - b. notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

- B. Establishing a drug-free awareness program to inform employees about:
 - 1. the dangers of drug abuse in the workplace;
 - 2. GCG's policy of maintaining a drug-free workplace;
 - 3. any available drug counseling, rehabilitation, and employee assistance program; and
 - 4. the penalties that may be imposed upon employees for drug violations.
 - C. Making it a requirement to give a copy of the statement required by Subsection A to each employee engaged in the performance of the Agreement, and to post the statement in a prominent place in the workplace.
 - D. Notifying the Village within ten (10) days after receiving notice under Paragraph A.3(b) from an employee or otherwise receiving actual notice of such conviction.
 - E. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted, as required by 30 ILCS 580/5.
 - F. Assisting employees in selecting a course of action in the event drug counseling treatment and rehabilitation is required and indicating that a trained referral team is in place.
 - G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of this section.
2. During the performance of this Agreement, GCG agrees as follows:
- A. It will not discriminate against any employee or applicant for employment because of race, color, religion, sex, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service, and further that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such underutilization.
 - B. If it hires additional employees in order to perform this Agreement or any portion hereof, it will determine the availability (in accordance with the Department's Rules and Regulations) of minorities and women in the area(s) from which it may reasonably recruit; and it will hire for each job

classification for which employees are hired in such a way that minorities and women are not underutilized.

- C. In all solicitations or advertisements for employees placed by him or on his behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, marital status, national origin or ancestry, age, physical or mental handicap unrelated to ability, or an unfavorable discharge from military service.
 - D. It will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of GCG's obligations under the Illinois Human Rights Act and the Department's Rules and Regulations. If any such labor organization or representative fails or refuses to cooperate with GCG in its efforts to comply with such Act and Rules and Regulations, GCG will promptly so notify the Illinois Department of Human Rights; and the Village and will recruit employees from other sources when necessary to fulfill its obligations thereunder.
 - E. It will submit reports as required by the Illinois Department of Human Rights, Rules and Regulations, furnish all relevant information as may from time to time be requested by the Department or the Village, and in all respects comply with the Illinois Human Rights Act and the Department's Rules and Regulations.
 - F. It will permit access to all relevant books, records, accounts and work sites by personnel of the Village and the Illinois Department of Human Rights for purposes of investigation to ascertain compliance with the Illinois Human Rights Act and the Department's Rules and Regulations.
 - G. It will not maintain or provide for its employees any segregated facilities at any of its establishments, and not permit its employees to perform their Services at any location, under its control, where segregated facilities are maintained. As used in this section, the term "segregated facilities" means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis or race, creed, color, or national origin because of habit, local custom, or otherwise.
3. GCG has and will have in place and will enforce a written sexual harassment policy in compliance with 775 ILCS 5/2-105 (A)(4).

4. No Village officials, their spouses, their dependent children, or no agent of any Village official or trust in which a Village official, his or her spouse or dependent children of a Village official is a beneficiary of GCG.
5. No officer or employee of the Village has solicited any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer from GCG in violation of Chapter 2, Article XIX of the Code of Ordinances of the Village of Brookfield.
6. GCG has not given to any officer or employee of the Village any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to the government employment or the official position of the employee or officer in violation of Chapter 2, Article XIX of the Code of Ordinances of the Village of Brookfield.

Dated: June __, 2011

GCG:

By: _____
Alan Levitz, President

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a notary public in and for the State and County aforesaid, hereby certify that Alan Levitz appeared before me this day in person and, being first duly sworn on oath, acknowledged that he executed the foregoing certification as his free act and deed.

Dated: July __, 2011

Notary Public

RESOLUTION NO. 2011-847

**A RESOLUTION APPROVING AN OSLAD BID AWARD
FOR THE VILLAGE OF BROOKFIELD, ILLINOIS**

PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 25TH DAY OF JULY 2011

RESOLUTION NO. 2011-847

**A RESOLUTION APPROVING AN OSLAD BID AWARD
FOR THE VILLAGE OF BROOKFIELD, ILLINOIS**

WHEREAS, the Village of Brookfield publicly advertised in the *The Landmark* newspaper for sealed bids for the Jaycee Ehlert Park West Improvements on July 6, 2011;

WHEREAS, bids were received and publicly opened, examined and publicly declared on July 20, 2011, and;

WHEREAS, of the bids received and opened, the apparent lowest responsible bidder is Schaefges Brothers, Inc.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

Section 1: The Corporate Authority of the Village of Brookfield does hereby find Schaefges Brothers, Inc. to be the lowest responsible bidder.

Section 2: Schaefges Brothers, Inc. is hereby awarded the contract for the Jaycee Ehlert Park Improvement project at the prices set forth in its bid subject to the furnishing of the proper bonds and insurance.

Section 3: The Village President is hereby authorized to execute and the Village Clerk to attest and seal a Notice of Award. Further, the Notice of Award shall be issued to Schaefges Brothers, Inc., the lowest responsible bidder, for a bid including Alternate Bid Items 1, 2, and 3, for a total bid price of \$980,416.00. The Notice of Award shall be accompanied with a sufficient number of contracts in a form approved by the Corporate Authority of the Village of Brookfield and with all other written contract documents for execution by Schaefges Brothers, Inc.

Section 4: The Notice of Award of the contract shall be published in the *Landmark*

newspaper, a newspaper having general circulation in the Village of Brookfield, there being no newspaper published therein.

Section 5: Provided that:

A.. Schaefges Brothers, Inc. returns to the Village Clerk within twenty (20) days of the publication of the Notice of Award the contract with all other written contract documents attached, properly executed by it, along with the proper contract bonds and surety; and

B. The Corporate Authority of the Village of Brookfield approves a resolution authorizing the execution of the contract;

then The Village President is hereby authorized to execute and the Village Clerk to attest and seal a Notice of Award substantially in the form attached hereto as Exhibit "A" and made a part hereof. The Notice of Award shall be issued to Schaefges Brothers, Inc. Wheeling, IL, the lowest responsible bidder, for the construction of the 2011 Jaycee Ehlert Park West project. The Notice of Award shall be accompanied by a sufficient number of contracts with all other written contract documents attached for execution by Schaefges Brothers, Inc. Wheeling, IL.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Section 6: This Resolution shall be in full force and effect from and after its passage and approval in pamphlet form.

ADOPTED BY THE VILLAGE OF BROOKFIELD, ILLINOIS, the 25th day of July 2011 pursuant to roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me the 25th day of July 2011.

Michael J. Garvey, President of the
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office
this 25th day of July 2011.

Brigid Weber, Clerk of the Village
of Brookfield, Cook County, Illinois

Exhibit “A”

NOTICE OF AWARD

VILLAGE OF BROOKFIELD, ILLINOIS

NOTICE OF AWARD

TO: Schaeffges Brothers, Inc. Wheeling, IL,
851 Seton Ct., Suite 2A
Wheeling, IL 60090

PROJECT DESCRIPTION: 2011 Jaycee Ehlert Park West OSLAD Project

THE VILLAGE OF BROOKFIELD has considered the bid submitted by you for the above-described work in response to its Notice to Bidders and Invitation for Bidders.

YOU ARE HEREBY NOTIFIED that your bid has been accepted for the Base Bid and Alternate Items 1, 2, and 3 in the amount of Nine Hundred Eighty Thousand Four Hundred and Sixteen dollars (\$980,416.00), subject to the furnishing of the proper bonds and insurance.

You are required to execute the Contract and furnish the required contract bonds and insurance within ten (10) calendar days from the date of the receipt of this Notice.

If you fail to execute said Contract and to furnish said bonds and insurance within ten (10) days from the publication of this Notice, the Village will be entitled to consider all your rights arising out of the Village's acceptance of your bid as abandoned and as a forfeiture of your bid security. The Village will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this Notice of Award to the Village of Brookfield.

Dated this 25th day of July 2011.

VILLAGE OF BROOKFIELD, ILLINOIS,

By: _____
Michael J. Garvey, President of the
Village of Brookfield, Cook County, Illinois

ATTEST:

By: _____
Brigid Weber, Clerk of the Village
of Brookfield, Cook County, Illinois

ACCEPTANCE OF NOTICE

Receipt of the above Notice of Award is hereby acknowledged by K. Eileen Leslie this _____
day of June 2011

Schaeffges Brothers, Inc. Wheeling, IL,

By: _____
Kenneth Schaeffges, President

SECTION 000410 – BID FORM

CONTRACTOR: Schaeffges Brothers, Inc.

851 Seton Ct., Suite 2A
Street Address

Wheeling, IL 60090
City, State, Zip

847-537-3330 847-537-7439
Phone # Fax #

TO: Village of Brookfield
8820 Brookfield Avenue
Brookfield, Illinois 60513

PROJECT: Jaycee Ehlert Park West Phase One

Having read the Specifications and examined the Drawings entitled: Jaycee Ehlert Park West Phase One Prepared by **Hitchcock Design Group** for the construction of said Project and having also received, read, and taken into account all ADDENDA thereto as follows: ** (LIST IN THE FOLLOWING SPACES, THE NUMBER OF AND DATE OF EACH ADDENDUM RECEIVED.)

ADDENDUM NOS.: 1, 2, 3

and having inspected the site and the conditions affecting and governing the construction of the Project Work, the undersigned proposes to furnish all material and perform all labor, as specified and described in the Specifications and as shown in the Drawings, for the following stipulated lump sums:

(ENTER AMOUNTS FROM 000415-SCHEDULE OF VALUES – round base bid and alternate amounts to nearest whole dollar)

BASE BID:

TOTAL MATERIALS AND LABOR FOR THE SUM OF:

** Nine Hundred Forty Six Thousand and Eight DOLLARS (** \$ 946,098.00)

ALTERNATE BID #1:

TOTAL ADD OR DEDUCT (circle one) FOR MATERIALS AND LABOR FOR THE SUM OF:

** Seven Thousand Two Hundred and 00/100 DOLLARS (** \$ 7,200.00)

ALTERNATE BID #2:

TOTAL ADD OR DEDUCT (circle one) FOR MATERIALS AND LABOR FOR THE SUM OF:

** Seven Thousand Eight Hundred and 00/100 DOLLARS (** \$ 7,800.00)

ALTERNATE BID #3:

TOTAL ADD OR DEDUCT (circle one) FOR MATERIALS AND LABOR FOR THE SUM OF:

** Nineteen Thousand Three Hundred Eighty DOLLARS (** \$ 19,318.00)

In submitting the bid, the undersigned agrees:

1. To enter into a lump sum Contract agreement with the Owner and to construct the work as drawn and specified for the stated lump sum amounts regardless of quantity discrepancies. No additional payments will be made due to quantity discrepancies.
2. To hold the bid open for 60 days after bid opening.
3. To enter into a Contract within 7 days of Notice of Award.
4. To furnish a Performance Bond and a Labor and Material Payment Bond for the full amount of the Contract in accordance with 000800-Supplementary Conditions, within 14 days of Contract Award.
5. To furnish evidence of insurance in accordance with 000800-Supplementary Conditions prior to signing the Contract.
6. To furnish a preliminary Construction Schedule in accordance with Section 001310-Project Management and Coordination prior to signing the Contract.
7. To forfeit the Bid Security to the Owner as payment of damages due to delay if the undersigned fails to execute a Contract as required.
8. To begin the work no later than the date specified in the Contract, and to substantially complete the work no later than May 25, 2012.

ACKNOWLEDGED AND AGREED TO:


By:  / President
Authorized Signature / Title Kenneth Schaeffges

Company: Schaeffges Brothers, Inc.

(SEAL - If by Corporation)

Subscribed and sworn to before me this

20th day of July, 2011


Notary Public

END OF SECTION 000410

Jaycee Ehlert West Phase One
BID FORM



000410 - 2

SECTION 000415 - SCHEDULE OF VALUES

Date: July 6, 2011
 RE: Jaycee Ehlert Park West Phase One
 Project No.: 04-0802-004-x02-02-06

NOTES:

1. Bidder to complete Section 000415-Schedule of Values and enter total amount in appropriate space in Section 000410-Bid Form.
2. Bidder is responsible for performing all quantity take-offs necessary to complete the work as drawn and specified.
3. The successful bidder will be required to enter into a lump sum contract agreement with the owner. No additional payments will be made due to discrepancies between bidder's estimated quantities, owner's estimated quantities, and the actual installed quantities to construct the work as drawn and specified.
4. This Schedule of Values form will become part of the Contract Documents and will be used as a basis for reviewing the Contractor's Applications for Payment. The Schedule of Values Unit Prices and 000416-Unit Price Schedule will be used to establish change orders for additions or deductions to the project as approved by the Owner.

Section	Description	Bidder's Est. Qty.	Unit	Unit Cost	Extended Cost	Subtotal
0 & 1	Contracting and General Requirements					
	contracting requirements	1	LS	\$ 50,000.00	\$ 50,000.00	
	general requirements	1	LS		\$ 500.	
	construction layout	1	LS	\$ 5,500.00	\$ 5,500.00	
	temporary site fence	1100	LF	\$ 4.00	\$ 4,400.00	
	bonds	1	LS	\$ 2,000.00	\$ 2,000.00	
	Section Subtotal:					62,700.00
033000	Cast-in-Place Concrete					
	concession building foundation	18	CY	\$ 700.00	\$ 12,600.00	
	shelter footings	4	CY	\$ 700.00	\$ 2,800.00	
	Section Subtotal:					\$15,400.00
116800	Play Field Equipment and Structures					
	fitness stations	3	EA	\$ 4,079.00	\$ 12,237.00	
	volleyball post and net assembly	1	LS	2,838	\$ 2,838.00	
	baggo game	2	Pair	1,045	\$ 2,090.00	
	Section Subtotal:					17,165.00
116801	Prefabricated Shelter					
	picnic shelter	1	LS	\$ 30,907.00	\$ 30,907.00	
	Section Subtotal:					\$30,907.00
116802	Prefabricated Concession Building					
	concession building purchase and installation including all MEP equipment, connections, and materials required to provide a complete and functional building	1	LS	231,172.00	\$ 231,172.00	
	concession building manufacturer final MEP engineering services and professional engineer stamped drawings	1	LS	\$ 7,875.00	\$ 7,875.00	
	Section Subtotal:					239,047.00
129300	Site Furnishings					
	bench	5	EA	1,185.00	\$ 5,925.00	
	bike rack	3	EA	562.00	\$ 1,686.00	
	interpretive sign installation	1	EA	500.00	\$ 500.00	
	picnic table	8	EA	3,535.00	\$ 28,280.00	
	trash receptacle	3	EA	1,562.00	\$ 4,686.00	
	recycle receptacle	3	EA	1,637.00	\$ 4,911.00	

Section	Description	Bidder's Est. Qty.	Unit	Unit Cost	Extended Cost	Subtotal
Section Subtotal:						45,938.00
221113	Facility Water Distribution Piping					
	b-box and valve and pressure connection	1	LS	\$ 6,720.00	\$ 6,720.00	
	2" water line	266	LF	\$ 66.15	\$ 17,595.90	
	water meter	1	EA	\$ 1,155.00	\$ 1,155.00	
	rpz backflow preventor	1	EA	\$ 945.00	\$ 945.00	
	rpz enclosure	1	EA	\$ 5,670.00	\$ 5,670.00	
	temporary relocation of 2 RPZs and waterline	1	LS	\$ 16,380.00	\$ 16,380.00	
	installation of 2 RPZs and water line in new concession building	1	LS	\$ 6,615.00	\$ 6,615.00	
	extension of the 2" service lines from existing vault	48	LF	\$ 66.15	\$ 3,175.20	
	ADDENDUM #3 2" PVC Sprinkler Line	236	LF	\$ 29.50	\$ 6,962.00	
Section Subtotal:						\$65,218.10
221113	Booster pump					
	Booster pump	1	EA	\$ 8,085.00	\$ 8,085.00	
Section Subtotal:						\$8,085.00
221114	Spray Park					
	spray pad equipment, vault, drains and system	1	LS	\$ 91,245.00	\$ 91,245.00	
Section Subtotal:						\$91,245.00
265600	Exterior Lighting					
	Meter center	1.0	EA	\$ 1,785.00	\$ 1,785.00	
	Service conduit 3.5" RGS	610.0	LF	\$ 27.41	\$ 16,720.10	
	Service feeders #500	1,980.0	CLF	\$ 15.44	\$ 30,571.20	
	Ground Rod	3.0	EA	\$ 147.00	\$ 441.00	
	Trenching/Backfill for Conduit	590.0	LF	\$ 5.93	\$ 3,498.70	
	NEMA 4 disconnect switch - 30A	1.0	EA	\$ 1,102.50	\$ 1,102.50	
	Branch circuit breaker	include with concession building				
	Branch circuit wire #6	1,360.0	CLF	\$ 1.40	\$ 1,904.00	
	Branch circuit wire #8	2,920.0	CLF	\$ 1.08	\$ 3,153.60	
	Branch circuit ground #10	790.0	CLF	\$ 0.84	\$ 663.60	
	Electrical service grounding conductor #1/0	100.0	CLF	\$ 3.57	\$ 357.00	
	Branch circuit conduit 1" PVC	680.0	LF	\$ 1.63	\$ 1,108.40	
	GFI receptacle with weatherproof cover	1.0	EA	\$ 682.50	\$ 682.50	
	Shelter light	1.0	EA	\$ 1,575.00	\$ 1,575.00	
	Photo cell	1.0	EA	\$ 535.50	\$ 535.50	
	400A, Kitchen Panel with MLO	include with concession building				
	400A MCB	include with concession building				
	Trenching/Backfill for Conduit	700.0	LF	\$ 5.65	\$ 3,955.00	
	Precast handhole 24"x24"x24"	3.0	EA	\$ 2,160.00	\$ 6,480.00	
Section Subtotal:						\$74,533.10
311000	Site Clearing					
	silt fence	1	LS	2,250.00	\$ 2,250.00	
	inlet protection/FES outlet protection	2	EA	\$ 275.00	\$ 550.00	
	stabilized construction entrance	75	SY	\$ 46.00	\$ 3,450.00	
	underground utility removals	1	LS	\$ 500.00	\$ 500.00	
	remove & dispose chain link fence & footings	15	LF	\$ 14.00	\$ 210.00	
	remove & dispose overhead wires	1	LS	\$ 200.00	\$ 200.00	
	remove & dispose drinking fountain	1	LS	\$ 200.00	\$ 200.00	
	remove & dispose pump house, pad, valves	1	LS	\$ 200.00	\$ 200.00	
	remove & dispose unit pavers & base	1	LS	\$ 2,000.00	\$ 2,000.00	
	remove & redistribute crushed stone	1	LS	\$ 2,000.00	\$ 2,000.00	
	remove & dispose excess crushed stone	1	LS	\$ 2,000.00	\$ 2,000.00	
	remove & dispose concrete band	1	LS	\$ 2,000.00	\$ 2,000.00	
	remove & dispose concrete paving & base	1	LS	\$ 2,000.00	\$ 2,000.00	

Section	Description	Bidder's Est. Qty.	Unit	Unit Cost	Extended Cost	Subtotal
	remove & dispose asphalt paving & base	1	LS	\$ 2,000.00	\$ 2,000.00	
	Sawcut & Restore bituminous path	1	LS	\$ 500.00	\$ 500.00	
	Sawcut & Restore roadway (including sidewalk and C&G)	6	SY	\$ 300.00	\$ 1,800.00	
	tree removal	2	EA	\$ 300.00	\$ 600.00	
	tree protection fence	1,600	LF	\$ 3.50	\$ 5,600.00	
	Section Subtotal:					28,060.00
312000	Earth Moving					
	strip and stockpile topsoil and respread	1	LS	\$ 17,500.00	\$ 17,500.00	
	import and distribute topsoil	1	LS	\$ 17,500.00	\$ 17,500.00	
	on-site earthwork	1	LS	\$ 17,500.00	\$ 17,500.00	
	remove and dispose of excess material	1	LS	\$ 17,500.00	\$ 17,500.00	
	import and distribute sand (volleyball court)	200	CY	\$ 30.00	\$ 6,000.00	
	Section Subtotal:					\$76,000.00
312126	Asphalt Paving					
	asphalt paving	725	SY	\$ 25.50	\$ 18,487.50	
	Section Subtotal:					\$18,487.50
312131	Concrete Paving and Curbs					
	concrete paving walks, plazas, and pad	8,808	SF	\$ 5.00	\$ 44,040.00	
	concrete paving spray pad	2,200	SF	\$ 5.35	\$ 11,770.00	
	concrete curb - volleyball	216	LF	\$ 35.00	\$ 7,560.00	
	concrete curb and gutter	3	LF	\$ 50.00	\$ 150.00	
	ADA detectable warning	5	EA	\$ 65.00	\$ 325.00	
	Section Subtotal:					\$63,845.00
327000	Prairie Seeding					
	native seeding & erosion control blanket	1,355	SY	\$ 2.89	\$ 3,915.95	
	herbivory protection	12,195	SF	\$ 0.32	\$ 3,902.40	
	Section Subtotal:					\$7,818.35
327100	Wetland and Prairie Management					
	annual management	3	YEAR	\$ 3,360.00	\$ 10,080.00	
	Section Subtotal:					\$10,080.00
329200	Turf and Grasses					
	turf seed and erosion control blanket	6,707	SY	\$ 0.69	\$ 4,627.83	
	Section Subtotal:					\$4,627.83
329300	Plants					
	<i>shade tree</i>					
	Acer x freemanii 'Autumn Blaze'	7	EA	\$ 378.00	\$ 2,646.00	
	Gleditsia triacanthos var. inermis 'Skyline'	6	EA	\$ 378.00	\$ 2,268.00	
	Quercus bicolor	2	EA	\$ 630.00	\$ 1,260.00	
	Ulmus japonica x wilsoniana 'Morton'	1	EA	\$ 560.70	\$ 560.70	
	<i>intermediate tree</i>					
	Acer griseum	1	EA	\$ 630.00	\$ 630.00	
	Amelanchier x grandiflora 'Princess Diana'	3	EA	\$ 580.00	\$ 1,740.00	
	<i>shrub</i>					
	Rhus aromatica 'Gro-Low'	14	EA	\$ 47.25	\$ 661.50	
	Syringa patula 'Miss Kim'	7	EA	\$ 47.25	\$ 330.75	
	Viburnum dentatum 'Ralph Senior'	14	EA	\$ 47.25	\$ 661.50	
	<i>perennial and ground covers</i>					
	Calamagrostis x acutiflora 'Karl Foerster'	14	EA	\$ 26.25	\$ 367.50	
	Echinacea purpurea 'Kim's Knee High'	37	EA	\$ 23.10	\$ 854.70	
	Echinacea purpurea 'Kim's Mop Head'	30	EA	\$ 21.00	\$ 630.00	
	Hemerocallis 'Happy Returns'	87	EA	\$ 16.80	\$ 1,461.60	
	Miscanthus sinensis 'Gracillimus'	8	EA	\$ 20.00	\$ 160.00	
	Nepeta x faassenii 'Blue Wonder'	67	EA	\$ 19.00	\$ 1,273.00	

Section	Description	Bidder's Est. Qty.	Unit	Unit Cost	Extended Cost	Subtotal
	Panicum virgatum 'Rostrahlbusch'	26	EA	\$ 19.00	\$ 494.00	
	Pennisetum alopecuroides	10	EA	\$ 20.00	\$ 200.00	
	Pennisetum alopecuroides 'Hamelin'	7	EA	\$ 20.00	\$ 140.00	
	Sporobolus heterolepis	67	EA	\$ 20.00	\$ 1,340.00	
	planting bed soil amendment	1	LS	\$ 1,200.00	\$ 1,200.00	
	mulch	1	LS	\$ 935.00	\$ 935.00	
	detention area native planting		SEE SECTION 327000			
	native planting management		SEE SECTION 327100			
Section Subtotal:						\$19,814.25
333000	Facility Sanitary Sewerage					
	6" PVC SDR 26 pipe	56	LF	\$ 40.00	\$ 2,240.00	
	cleanout	1	EA	\$ 551.25	\$ 551.25	
	Connection to existing manhole	1	EA	\$ 735.75	\$ 735.75	
Section Subtotal:						\$3,527.00
334100	Storm Utility Drainage Piping					
	2' dia inlet, TY A	4	EA	\$ 1,155.00	\$ 4,620.00	
	4' manhole TY A w/restrictor	1	EA	\$ 3,990.00	\$ 3,990.00	
	9"x9" plastic basin	1	EA	\$ 136.50	\$ 136.50	
	storm sewer pipe, perforated- 6"	50	LF	\$ 16.80	\$ 840.00	
	storm sewer pipe- 6"	150	LF	\$ 40.00	\$ 6,000.00	
	storm sewer pipe- 8"	188	LF	\$ 45.25	\$ 8,507.00	
	storm sewer pipe - 12"	517	LF	\$ 64.00	\$ 33,088.00	
	8" CSP FES w/grate	2	EA	\$ 682.50	\$ 1,365.00	
	12" RCP FES w/grate	1	EA	\$ 1,470.00	\$ 1,470.00	
	Connection to existing manhole	1	EA	\$ 893.00	\$ 893.00	
	Infiltration Pit	1	LS	\$ 2,940.00	\$ 2,940.00	
Section Subtotal:						\$63,849.50

BASE BID TOTAL:

Section	Description	Bidder's Est. Qty.	Unit	Unit Cost	Extended Cost	Subtotal
Alternate Bid #1						
024119	Selective Structure Demolition					
ADD	demo and remove existing concessions building, foundation, and utilities	1	LS	\$ 7,200.00	\$ 7,200.00	
Section Subtotal:						\$ 7,200

ALTERNATE BID #1 TOTAL: **\$ 7,200**

Alternate Bid #2						
321316	Decorative Concrete Paving					
ADD	integral colored concrete spray pad	2,200	SF	\$ 3.55	\$ 7,810.00	
Section Subtotal:						\$ 7,810

ALTERNATE BID #2 TOTAL: **\$ 7,810**

Alternate Bid #3						
034500	Precast Architectural Concrete					
ADD	shelter column cap	4	EA	630.00	\$ 2,520.00	
ADD	concession building column cap	2	EA	630.00	\$ 1,260.00	
ADD	concession building watertable accent	83	LF	51.66	\$ 4,287.78	
Section Subtotal:						\$ 8,068.00
044300	Stone Masonry					
ADD	shelter column stone veneer	120	SFF	25.00	\$ 3,000.00	
ADD	concession building column stone veneer	60	SFF	25.00	\$ 1,500.00	
ADD	concession building stone veneer	270	SFF	25.00	\$ 6,750.00	
Section Subtotal:						\$ 11,250.00

ALTERNATE BID #3 TOTAL: **\$ 19,318.00**

SECTION 000416 - SCHEDULE OF UNIT PRICES

Date: July 6, 2011

RE: Jaycee-Ehlert Park West Phase One

Project #: 04-0802-002-x02-02-06

NOTES:

1. Bidder to enter the unit cost for each item on a basis of the unit given. See Section 001270-Unit Prices for specific information.
2. This Schedule of Unit Prices will become part of the Contract Documents and will be used as a basis for payment and to substantiate Change Order requests.
3. This Schedule of Unit Prices form is available in Microsoft Excel format from the landscape architect upon request.

Item	Description	Qty.	Unit	Unit Cost
1	Over Excavation and Backfill	1	C.Y.	\$65.00
2	Rock Excavation	1	C.Y.	\$250.00

END OF SECTION 000416

SECTION 000420 – SUBSTITUTION FORM

Bidders may suggest substitutions of materials or equipment for consideration. If the substitution is deemed accepted by the Owner's Representative, the information may be issued as an addendum or taken under consideration at the time of signing the contract. The Owner reserves the right to accept or reject any or all proposed substitutions. Substitutions may not be accepted subsequent to award of the Contract unless approved by the Owner's Representative.

List all "Substitutions" for which consideration is desired, showing the addition or reduction in price to be made, for each, if the substitution is accepted, or stating "No Change in Price" if none is proposed.

MATERIALS/EQUIPMENT	SUBSTITUTION	ADD	DEDUCT
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

It is understood and agreed that the proposals indicated above are based on furnishing materials and equipment shown or specified and entitles the Owner to require that such names, materials, and methods be incorporated in the Work, except as substitutions for same based on the supplementary quotations entered above and as accepted by the Owner's Representative and are subsequently made a part of the written Contract.

ACKNOWLEDGED AND AGREED TO:

By:  /President
 Authorized Signature / Title Kenneth Schaeffges

Subscribed and sworn to before me this

20th day of July, 2011


 Notary Public

END OF SECTION 000420



SECTION 000435 – BID SECURITY

Attached to this Proposal is a cashier's check, certified check, or bid bond for 10% of the total Base Bid made payable to Village of Brookfield.

Insert amount:

_____ DOLLARS
(\$ 94,009)

If this Proposal is accepted and the Bidder fails to execute a Contract with the Owner, the full amount of the security will be forfeited to the Owner as payment of damage due to delay. If this Proposal is not accepted, the security will be returned to the Bidder within 30 days of the execution of the Contract with the successful Bidder.

END OF SECTION 000435

SECTION 000440 – MATERIAL SOURCES and/or SUB-CONTRACTED WORK FORM

List the sources, manufacturers and/or (sub)contractors for the following items:

Trade	Source/Mfg.	(Sub) Contractor
Asphalt Paving		Evans & Son Blacktop Inc.
Concrete Paving	Ozinga / Prairie Materials	Schaeffges Brothers, Inc.
Cast-in-Place Concrete	Ozinga / Prairie Materials	Schaeffges Brothers, Inc.
Storm Sewerage Subdrainage Systems		KC Mechanical
Sanitary Sewer		KC Mechanical
Water Utilities		KC Mechanical
Spray Pad Equipment	Waterplay Systems	B & E Aquatics, Inc.
Picnic Shelter	Icon / Parkreation	Wendell Builders
Electrical and Lighting		Okeh Electric
Earthwork		Schaeffges Brothers, Inc.
Concession Building	Romtec	Wendell Builders / Christmann
Native Plantings		Encap
Landscaping		Encap
<u>Demolition</u>		Schaeffges Brothers, Inc.

END OF SECTION 000440

SECTION 000447 – WAGE RATES

PART 1 - GENERAL


1.1 DESCRIPTION

- A. The Contractor shall comply with the requirements of 820 ILCS 130/1-12 inclusive with reference to prevailing rates of wages. The Contractor shall pay or cause to be paid not less than the prevailing rates of wages as found by the Owner or Department of Labor or as determined by the Court on Review to all laborers, workers and mechanics.
- B. The Illinois Department of Labor website (<http://www.state.il.us/agency/idol/>) will list the current edition of the prevailing wages for the county where the Work is being performed.
1. Contractor is responsible to verify that prevailing wages listed are current.
 2. Contractor must pay current wages in effect at time Work is being carried out.

PART 2 - PRODUCTS (Not Used)

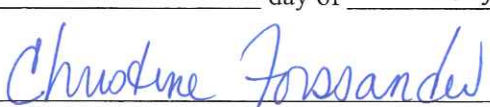
PART 3 - EXECUTION (Not Used)

ACKNOWLEDGED AND AGREED TO:

By:  / President
Authorized Signature / Title Kenneth Schaeffges

Subscribed and sworn to before me this

20th day of July, 2011


Notary Public

END OF SECTION 000447



SECTION 000455 – CONTRACTOR'S QUALIFICATIONS FORM

1.1 PROJECT EXPERIENCE

A. List below the projects of similar nature that you have successfully completed:

1. Project Name: Devonshire Aquatic Center
Project Location: Skokie, IL
Project Budget: \$346,799.00
Completion Date: May, 2009
Owner's Name: Skokie Park District
Contact Person: John Ohrlund
Phone: 847-929-7801

2. Project Name: Elgin's Festival Park
Project Location: Elgin, IL
Project Budget: \$4,460,821.00
Completion Date: April, 2007
Owner's Name: City of Elgin
Contact Person: Jim Bell
Phone: 847-931-6124

3. Project Name: Cermak and Green Lake Family Aquatic Centers
Project Location: Lyons and Calumet City, IL
Project Budget: \$4,430,000.00 / \$4,457,000.00
Completion Date: June, 2008 / May, 2009
Owner's Name: Forest Preserve District of Cook County
Contact Person: Jim Havlat
Phone: 708-771-1356

1.2 PROJECTS IN PROGRESS

A. List below projects currently in progress:

1. Project Name: See Attached Work in Progress
Project Location: _____

Project Budget: _____
Completion Date: _____
Owner's Name: _____
Contact Person: _____
Phone: _____

2. Project Name: _____
Project Location: _____
Project Budget: _____
Completion Date: _____
Owner's Name: _____
Contact Person: _____
Phone: _____

3. Project Name: _____
Project Location: _____
Project Budget: _____
Completion Date: _____
Owner's Name: _____
Contact Person: _____
Phone: _____

1.3 PROJECT MANAGEMENT

A. List name of probable Project Manager or Job Superintendent: Steve Karecki

B. List below similar projects managed:

1. Project Name: Devonshire Aquatic Center
Contact Person: John Ohrlund
Phone: 847-929-7801

2. Project Name: Elgin's Festival Park
Contact Person: Jim Bell
Phone: 847-931-6124

3. Project Name: Cermak Family Aquatic Center
Contact Person: Jim Havlat
Phone: 708-771-1356

ACKNOWLEDGED AND AGREED TO:

By:  / President
Authorized Signature / Title Kenneth Schaeffges

Subscribed and sworn to before me this

20th day of July, 2011


Notary Public

END OF SECTION 000455



SECTION 000460 – EQUAL EMPLOYMENT OPPORTUNITY

In the event of the contractor's noncompliance with any provision of this Equal Employment Opportunity Clause, the Illinois Fair Employment Practices Act or the Fair Employment Practices Commission's Rules and Regulations for Public Contracts, the contractor may be declared not responsible and therefore ineligible for future contracts or subcontracts with the State of Illinois or any of its political subdivision or municipal corporations, and the contract may be canceled or avoided in whole or in part, and such other sanctions or penalties may be imposed or remedies involved as provided by statute or regulation.

During the performance of this contract, the contractor agrees as follows:

- (1) That it will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin or ancestry; and further that it will examine all job classifications to determine if minority persons or women are underutilized and will take appropriate affirmative action to rectify any such underutilization.
- (2) That, if it hires additional employees in order to perform this contract, or any portion hereof, it will determine the availability (in accordance with the Commission's Rules and Regulations for Public Contracts) of minorities and women in the area(s) from which it may reasonably recruit and it will hire for each job classification for which employees are hired in such a way that minorities and women are not underutilized.
- (3) That, in all solicitations or advertisements for employees placed by it or on its behalf, it will state that all applicants will be afforded equal opportunity without discrimination because of race, color, religion, sex, national origin or ancestry.
- (4) That it will send to each labor organization or representative of workers with which it has or is bound by a collective bargaining or other agreement or understanding, a notice advising such labor organization or representative of the contractor's obligations under the Illinois Fair Employment Practices Act and the commission's Rules and Regulations for Public Contract. If any such labor organization or representative fails or refuses to cooperate with the contractor in its efforts to comply with such Act and Rules and Regulations, the contractor will promptly so notify the Illinois Fair Employment Practices Commission and the contracting agency and will recruit employees from other sources when necessary to fulfill its obligations thereunder.
- (5) That it will submit reports as required by the Illinois Fair Employment Practices Commission's Rules and Regulations for Public Contracts, furnish all relevant information as may from time to time be requested by the Commission or the contracting agency, and in all respects comply with the Illinois Fair Employment Practices Act and the Commission's Rules and Regulations for Public Contracts so that such provisions will be binding upon every such subcontractor; and that it will also so include the provisions of paragraphs 1, 5, 6 and 7 in every supply subcontract as defined in Section 2.10 (a) of the Commission's Rules and Regulations for Public Contracts so that such provisions will be binding upon every such subcontractor. In the same manner as with other provisions of this contract, the contractor will be liable for compliance with applicable provisions of this clause by all its subcontractors; and further it will promptly notify the contracting agency and the Illinois Fair Employment Practices Commission in the event any subcontractor fails or refuses to comply therewith. In addition, no contractor will utilize any subcontractor declared by the Commission to be not responsible and therefore ineligible for contracts or subcontracts with the State of Illinois or any of its political subdivisions or municipal corporations.

With respect to the two types of subcontracts referred to under paragraph 7 or the Equal Employment Opportunity Clause above, following is an excerpt of Section 2 of the FEPC's Rules and Regulations for Public Contracts:

"Section 2.10. The term "Subcontract" means any agreement, arrangement or understanding, written or otherwise, between a contractor and any person (in which the parties do not stand in the relationship of any employer and an employee):

(a) for the furnishing of supplies or services or for the use of real or personal property, including lease arrangements, which, in whole or in part, utilized in the performance of any one or more contracts; or

(b) under which any portion of the contractor's obligation under any one or more contracts is performed, undertaken or assumed."

ACKNOWLEDGED AND AGREED TO:

By:  / President
Authorized Signature / Title Kenneth Schaeffges

Subscribed and sworn to before me this

20th day of July, 2011


Notary Public

END OF SECTION 000460



SECTION 000470 – AFFIDAVIT OF COMPLIANCE

The undersigned, Kenneth Schaeffges, being first duly sworn on oath, deposes that he is
(print or type Name)
President of Schaeffges Brothers, Inc., the authority to make
(Sole Owner, Partner, President, Secretary, etc.) (Name of Company)

this certification on behalf of the Bidder;

A. That in connection with this procurement,

- (1) The bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation;
- (2) The Bidder has not in any manner directly or indirectly sought by consultation, communication or agreement with anyone to fix the bid price of said bidder or any other bidder or to fix any overhead profit or cost element of such bid price or that of any other bidder or to secure any advantage against the public body awarding the contract or anyone interested in the proper contract;
- (3) The bid is genuine and not collusive or sham;
- (4) The prices or breakdowns thereof and any and all contents which had been quoted in this bid have not been knowingly disclosed by the bidder and will not be knowingly disclosed by the bidder directly or indirectly to any other bidder or any competitor prior to opening;
- (5) All statements contained in such bid are true;
- (6) No attempt has been made or will be made by the bidder to induce any other person or firm to submit a false or sham bid;
- (7) No attempt has been made or will be made by the bidder to induce any other person or firm to submit or not to submit a bid for the purpose of restricting competition;

- B. (1) He is the person in the Bidder's organization responsible within that organization for the decision as to the prices being bid herein and that he has not participated, and will not participate, in any action contrary to paragraphs 1 through 7 above; or
- (2) (a) He is not the person in the Bidder's organization responsible within that organization for the decision as to the prices being bid herein but that he has been authorized to act as agent for the persons responsible for such decision in certifying that such persons have not participated, and will not participate, in any action contrary to paragraphs 1 through 7 above and as their agent does hereby so certify; and
 - (b) That he has not participated, and will not participate, in any action contrary to paragraphs 1 through 7 above.


- C. The undersigned certifies that the Bidder has never been convicted for a violation of State laws prohibiting bid rigging or bid rotating.
- D. It is expressly understood that the foregoing statements and representations and promises are made as a condition to the right of the bidder to receive payment under any award made hereunder.

ACKNOWLEDGED AND AGREED TO:

By:  / President
Authorized Signature / Title Kenneth Schaeffges

Subscribed and sworn to before me this

20th day of July, 2011


Notary Public

END OF SECTION 000470



SECTION 000475 – OSLAD CONTRACT COMPLIANCE

This project is being financed, in part, with funds provided through the State of Illinois "Open Space Lands Acquisition & Development" grant program. The following are contract compliance requirements for construction projects assisted with these funds made available through the Illinois Department of Conservation.

- A. The Contractor shall abide by and comply with all applicable Local and State laws relating to 1) fair employment practices and prohibiting discrimination in employment; 2) any and all applicable workmen's compensation acts of laws; and 3) wages and claims of laborers, mechanics and other workmen, agents, or servants in any manner employed in connection with contracts involving public funds or the development or construction of public works, buildings or facilities.
- B. The Contractor shall provide and furnish to the satisfaction of the Local Agency and IDOC good and sufficient performance bond(s) with adequate surety or sureties, with applicable penalty or loss clauses; concerning or relating to the construction of the proposed facilities and any losses, cost or damages arising out of, or by virtue of said construction by the Contractor of the specified project facilities, insuring, benefiting and protection the Local Agency and IDOC.
- C. The Contractor shall personally and individually agree and covenant, and shall furnish and provide sufficient evidence of insurance, to indemnify, protect, defend at its own cost, and hold harmless the Local Agency and IDOC from and against all losses, damages, injuries, costs, expenses or claims thereof to or by persons or property, arising out of, through, under or by virtue of the construction and development of the specified project facilities.
- D. The Contractor certifies that, to the best of its knowledge, no officer or employee has been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has any officer or employee made an admission of guilt of such conduct which is a matter of record.
- E. The Contractor certifies it has not been barred from being awarded a contract with a unit of State or Local government as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961 (bid rigging or bid rotating).

ACKNOWLEDGED AND AGREED TO:

By:

 / President
Authorized Signature / Title Kenneth Schaeffges

Subscribed and sworn to before me this

20th day of July, 2011



Notary Public

END OF SECTION 000475

Jaycee Ehlert West Phase One
OSLAD CONTRACT COMPLIANCE

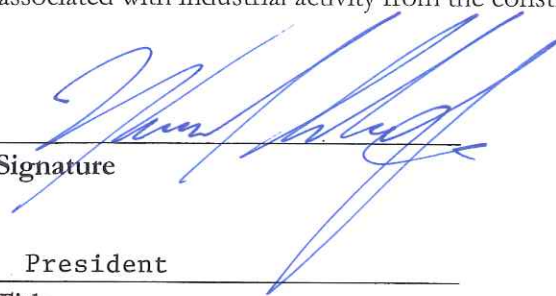


000475 - 1

CONTRACTOR'S CERTIFICATION

**Jaycee-Ehlert Park
Brookfield, Cook County, Illinois**

I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit (ILR100000) that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification.


Signature

July 20, 2011
Date

President
Title

Schaeffges Brothers, Inc.
Firm Name

851 Seton Ct., Suite 2A
Address

Wheeling, IL 60090

847-537-3330
Telephone



Schaeffges Brothers, Inc. / 851 Seton Court, Suite 2A, Wheeling, Illinois 60090-5790

Tel (847) 537-3330 · Fax (847) 537-7439 · www.sbigc.com

July 20, 2011

WORK IN PROGRESS

NAVY PIER LAKEVIEW TERRACE RESTORATION

Owner: Metropolitan Pier and Exposition Authority – Mahesh Mohnalkar
Project Manager: Kenneth Schaeffges
Superintendent: Mike Reed
Contract Amount: \$1,280,000.00
Percent Complete: 0%
Completion Date: December, 2011

GLENBROOK NORTH AND SOUTH VGB POOL REPAIRS

Owner: Northfield Township High School District #225
Architect: Arcon Associates, Inc. – Michael Sauer – 630-495-1900
Project Manager: Steve Karecki
Superintendent: Julio Pantoja
Contract Amount: \$32,848.00
Percent Complete: 75%
Completion Date: August, 2011

OPTIMA CENTER, CHICAGO

Owner: Optima, Inc.
Architect: Innovative Aquatic Design – Jim Leuders – 224-293-6333
Project Manager: Kenneth Schaeffges
Superintendent: T.B.D.
Contract Amount: \$250,000.00
Percent Complete: 0%
Completion Date: March, 2012

SCHAUMBURG NATIONAL PARKWAY WEIR IMPROVEMENTS

Owner: Village of Schaumburg
Engineer: Christopher B. Burke Eng. – 847-823-0500
Project Manager: Kenneth Schaeffges
Superintendent: Mike Reed
Contract Amount: \$57,100.00
Percent Complete: 22%
Completion Date: July, 2011

PROVISO EAST HIGH SCHOOL GIRL'S POOL UPGRADES

Owner: Proviso Township District #209
Architect: Legat Architects – Mark Siwik
Project Manager: Steve Karecki
Superintendent: Martin Pantoja
Contract Amount: \$85,800.00
Percent Complete: 30%
Completion Date: August, 2011

NILES NORTH AND WEST HIGH SCHOOLS 2011 CAPITAL IMPROVEMENTS

Owner: Niles Township High School District
Construction Mgr.: IHC Construction Companies, LLC
Project Manager: Kenneth Schaeffges
Superintendent: Mark Reed
Contract Amount: \$145,000.00
Percent Complete: 0%
Completion Date: August, 2011

PALATINE LIBRARY SNOW MELTING SYSTEM

Owner: Palatine Public Library District
Architect: Scott Byron & Co – Sam Danenberger – 847-689-6346
Project Manager: Steve Karecki
Superintendent: Martin Pantoja
Contract Amount: \$122,999.70
Percent Complete: 20%
Completion Date: July, 2011

NEW SPEED SLIDES AT MAGIC WATERS

Owner: Rockford Park District – Garrett Jones – 815-987-1590
Engineer: Water Technology Inc. – Scott LeMonds – 920-887-7375
Project Manager: Steve Karecki
Superintendent: T.B.D.
Contract Amount: \$933,000.00
Percent Complete: 4%
Completion Date: April, 2012

2011 POOL CONCRETE REPAIR WORK AT PALATINE H.S.

Owner: Board of Education Township H.S. Dist. 211 – Steven East / 847-755-6600
Architect: Arcon Associates – Michael Hantel – 630-495-1900
Project Manager: Steve Karecki
Superintendent: Martin Pantoja
Contract Amount: \$205,000.00
Percent Complete: 20%
Completion Date: August, 2011

VERNON HILLS CENTURY PARK NORTH END

Owner: Vernon Hills Park District – Jeff Fougrousse – 847-996-6930
Architect: 3D Design Studio - Dan Dalziel - 847-223-1891
Project Manager: Ken Schaeffges
Superintendent: Mike Reed
Contract Amount: \$895,158.55
Percent Complete: 71%
Completion Date: August, 2011

PARK CENTER FITNESS – EXCAVATION

Owner: Glenview Park District
Architect: Williams Architect – Scott Morlock – 630-221-1212
Project Manager: Steve Karecki
Superintendent: T.B.D.
Contract Amount: \$11,111.00
Percent Complete: 0%
Completion Date: September, 2011

PARK CENTER FITNESS – CONCRETE

Owner: Glenview Park District
Architect: Williams Architect – Scott Morlock – 630-221-1212
Project Manager: Steve Karecki
Superintendent: T.B.D.
Contract Amount: \$51,800.00
Percent Complete: 0%
Completion Date: January, 2012

EAGLE PARK POOL – EXCAVATION

Owner: Palatine Park District – 847-991-0333
Architect: PHN Architects, Gary Pingel – 630-665-8400
Project Manager: Steve Karecki
Superintendent: T.B.D.
Contract Amount: \$263,500.00
Percent Complete: 0%
Completion Date: May, 2012

EAGLE PARK POOL – CONCRETE

Owner: Palatine Park District – 847-991-0333
Architect: PHN Architects, Gary Pingel – 630-665-8400
Project Manager: Steve Karecki
Superintendent: T.B.D.
Contract Amount: \$556,005.00
Percent Complete: 0%
Completion Date: May, 2012

THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310 Bid Bond

KNOW ALL MEN BY THESE PRESENTS, THAT WE Schaeffges Brothers, Inc.

851 Seton Court, Suite 2A Wheeling, IL 60090

as Principal, hereinafter called the Principal, and Continental Casualty Company

333 S. Wabash Ave. Chicago, IL 60604

a corporation duly organized under the laws of the State of IL

as Surety, hereinafter called the Surety, are held and firmly bound unto Village of Brookfield

8820 Brookfield Ave. Brookfield, IL 60513

as Obligee, hereinafter called the Obligee, in the sum of Ten Percent of Amount Bid

Dollars (\$ 10%),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for Jaycee Ehlert Park West Phase One

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and materials furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 20th day of July, 2011

Christine Forssander
Christine Forssander (Witness)

Schaeffges Brothers, Inc.

(Principal) (Seal)

By:

Kenneth Schaeffges, President (Title)

Continental Casualty Company

(Surety) (Seal)

By:

Kimberly R. Holmes (Title)
Attorney-in-Fact Kimberly R. Holmes

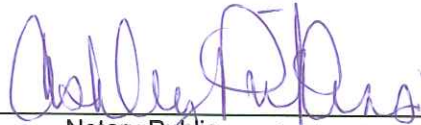
Rachel E. Mitchell
Rachel Mitchell (Witness)



STATE OF Illinois
COUNTY OF DuPage

I, Ashley Pirkins Notary Public of DuPage County,
in the State of Illinois, do hereby certify that Kimberly R. Holmes
Attorney-in-Fact, of the Continental Casualty Company
who is personally known to me to be the same person whose name is
subscribed to the foregoing instrument, appeared before me this day in person, and
acknowledged that he signed, sealed and delivered said instrument, for and on behalf of the
Continental Casualty Company
for the uses and purposes therein set forth.

Given under my hand and notarial seal at my office in the City of Lisle
in said County, this 20th day of July A.D., 2011



Notary Public Ashley Pirkins

My Commission expires: February 28, 2015



POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company (herein called "the CNA Companies"), are duly organized and existing insurance companies having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signatures and seals herein affixed hereby make, constitute and appoint

Kimberly R. Holmes , Individually

of Lisle, IL their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

Surety Bond Number: Bid Bond
Principal: Schaefges Brothers, Inc.
Obligee: Village of Brookfield

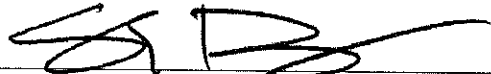
and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their insurance companies and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Boards of Directors of the insurance companies.

In Witness Whereof, the CNA Companies have caused these presents to be signed by their Senior Vice President and their corporate seals to be hereto affixed on this 20th day of January, 2011.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

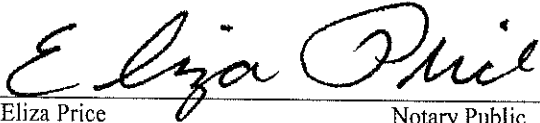

Stathy Darcy Senior Vice President

State of Illinois, County of Cook, ss:

On this 20th day of January, 2011, before me personally came Stathy Darcy to me known, who, being by me duly sworn, did depose and say: that she resides in the City of Glenview, State of Illinois; that she is a Senior Vice President of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company described in and which executed the above instrument; that she knows the seals of said insurance companies; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said insurance companies and that she signed her name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance companies.



My Commission Expires September 17, 2013


Eliza Price Notary Public

CERTIFICATE

I, Mary A. Ribikawskis, Assistant Secretary of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance companies printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance companies this 20th day of July, 2011.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania


Mary A. Ribikawskis Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF CONTINENTAL CASUALTY COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company.

"Article IX—Execution of Documents

Section 3. Appointment of Attorney-in-Fact. The Chairman of the Board of Directors, the President or any Executive, Senior or Group Vice President may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Company in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority, shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company thereto. The Chairman of the Board of Directors, the President or any Executive, Senior or Group Vice President or the Board of Directors, may, at any time, revoke all power and authority previously given to any attorney-in-fact."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 17th day of February, 1993.

"Resolved, that the signature of the President or any Executive, Senior or Group Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to Section 3 of Article IX of the By-Laws, and the signature of the Secretary or an Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

ADOPTED BY THE BOARD OF DIRECTORS OF AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company.

"Article VI—Execution of Documents

Section 3 Appointment of Attorney-in-Fact. The Chairman of the Board of Directors, the President or any Executive or Senior Vice President may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Company in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority, shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company thereto. The Chairman of the Board of Directors, the President or any Executive or Senior Vice President or the Board of Directors may at any time revoke all power and authority previously given to any attorney-in-fact."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 17th day of February, 1993.

"Resolved, that the signature of the President or any Executive, Senior or Group Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to Section 2 of Article VI of the By-Laws, and the signature of the Secretary or an Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power and any power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company."

ADOPTED BY THE BOARD OF DIRECTORS OF NATIONAL FIRE INSURANCE COMPANY OF HARTFORD:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company.

"Article VII—Execution of Documents

Section 3. Appointment of Attorney-in-Fact. The Chairman of the Board of Directors, the President or any Executive or Senior Vice President may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Company in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company thereto. The Chairman of the Board of Directors, the President or any Executive, Senior Vice President or the Board of Directors, may, at any time, revoke all power and authority previously given to any attorney-in-fact."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 17th day of February, 1993.

"RESOLVED: That the signature of the President, an Executive Vice President or any Senior or Group Vice President and the seal of the Insurance Company may be affixed by facsimile on any power of attorney granted pursuant to the Resolution adopted by this Board of Directors on February 17, 1993 and the signature of a Secretary or an Assistant Secretary and the seal of the Insurance Company may be affixed by facsimile to any certificate of any such power, and any power or certificate bearing such facsimile signature and seal shall be valid and binding on the Insurance Company. Any such power so executed and sealed and certified by certificate so executed and sealed, shall with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Insurance Company."

PROJECT: Jaycee Ehlert Park West Phase One

BID DATE: July 20, 2011

CONSULTANT: Hitchcock Design Group

PROPOSAL SUBMITTED BY	Base	Alternate 1	Alternate 2	Alternate 3	Bid Bond	TOTAL
Clauss Brothers	\$ 930,528.70	\$ 11,790.	\$ 20,727.	\$ 36,987.	Yes	\$ 1,000,032.70
GLI, Inc.	\$ 1,036,758.	\$ 17,125.	\$ 4,846.50	\$ 44,382.	Yes	\$ 1,103,111.50
Henry Brothers Company	\$ 1,044,424.	\$ 14,500.	\$ 1,980.	\$ 42,300.	Yes	\$ 1,103,204.00
The Lombard Company	\$ 1,035,000.	\$ 16,000.	\$ 5,000.	\$ 19,000.	Yes	\$ 1,075,000.00
Schaefgas Brothers, Inc.	\$ 946,098.	\$ 7,200.	\$ 7,800.	\$ 19,318.	Yes	\$ 980,416.00



Village of Brookfield

8820 Brookfield Avenue • Brookfield, Illinois 60513-1688
(708) 485-7344 • FAX (708) 485-4971
www.brookfieldil.gov

VILLAGE PRESIDENT
Michael J. Garvey

VILLAGE CLERK
Brigid Weber

BOARD OF TRUSTEES
Catherine A. Colgrass-Edwards
Ryan P. Evans
C.P. Hall, II
Kit P. Ketchmark
Brian S. Oberhauser
Michael A. Towner

VILLAGE MANAGER
Riccardo F. Ginex

MEMBER OF
Illinois Municipal League
Proviso Township
Municipal League
West Central
Municipal Conference

TREE CITY U.S.A. Since 1981

HOME OF THE CHICAGO
ZOOLOGICAL SOCIETY

VILLAGE OF BROOKFIELD
BROOKFIELD, ILLINOIS 60513

**BROOKFIELD VILLAGE BOARD
COMMITTEE OF THE WHOLE MEETING
Monday, July 25, 2011**

**7:00 p.m. or Immediately following Village Board Meeting
Edward Barcal Hall
8820 Brookfield Avenue
Brookfield, IL 60513**

AGENDA

- I. **Discussion** – Sokol Spirit Oktoberfest – Temporary Class S License
- II. **Discussion** – Public Safety Recommendation
- III. **Discussion** – Vehicle Seizure and Impound Ordinance
- IV. **Discussion** – Ordinance Amending Chapter 4 Regarding Regulation of Animals (Chickens)
- V. **Addresses from the Audience** – Any member of the audience who wishes to address the President and Village Board may do so at this time
- VI. **Adjournment**

Individuals with a disability requiring a reasonable accommodation in order to participate in any meeting should contact the Village of Brookfield (708)485-7344 prior to the meeting. Wheelchair access may be gained through the police department (East) entrance of the Village Hall.



COMMITTEE ITEM MEMO

ITEM: SOKOL SPIRIT OKTOBERFEST – CLASS S LIQUOR LICENSE
COMMITTEE DATE: July 25, 2011
PREPARED BY: Riccardo F. Ginex, Village Manager *RL. Wif*
PURPOSE: A request to serve beer for their event on September 10, 2011
BUDGET AMOUNT: N/A

BACKGROUND:

Sokol Spirit has requested to serve beer for their Oktoberfest on Saturday, September 10th from 1:00 pm until 10:00 pm. The event will be open to the public and take place in their lot adjacent to their building. They have provided a detail site plan for your review.

ATTACHMENTS:

1. Letter of Request
2. Site Plan

STAFF RECOMMENDATION:

The Class S license is granted.

REQUESTED COURSE OF ACTION:

The Board approves the request for a Class S license at the August 8th meeting.

SOKOL SPIRIT

3909 PRAIRIE AVENUE  BROOKFIELD, ILLINOIS 60513-2143

Village of Brookfield
C/o Riccardo Ginex, Village Manager
8820 Brookfield Avenue
Brookfield, IL 60513

July 18, 2011

Dear Village of Brookfield,

Sokol Spirit is a not for profit educational, physical, cultural and social organization which has been helping to keep the area's youth and adults physically fit for over 100 years. As an active member of the community we are looking to host an Oktoberfest event on September 10, 2011. This event will be open to the public and will take place in the parking lot adjacent to our building at 3909 Prairie Avenue in Brookfield.

For this event we request that the Village grant a Café Permit as an extension of our Liquor License so that we may serve beer in the parking lot to the event patrons from 1 p.m. until 10 p.m. on Saturday, September 10, 2011. The lot will be fenced in for the day with temporary fencing and we will not allow alcohol to be removed from the premises. The enclosed document illustrates our proposed/planned set up for the event.

Please do not hesitate to contact me if you have any questions or if there are any changes required in order to be compliant with your wishes. You may contact me at 708-804-4400 or adam.wilt4@gmail.com.

We appreciate your consideration and support.

Sincerely,



Adam Wilt
President, Sokol Spirit



Sokol Spirit Oktoberfest Set Up

-  10' x 10' Tent
-  20' x 30' Tent
-  Beer Truck/Picnic Coolers
-  Stage with Sound
-  Food Area
-  8 Ft. Table with Chair
-  Rows of Chairs
-  Perimeter Temporary Fencing
-  Port-O-Potties

Scale



15 Feet 7.5 Inches





COMMITTEE ITEM MEMO

ITEM: PUBLIC SAFETY RECOMMENDATION
COMMITTEE DATE: July 25, 2011
PREPARED BY: Riccardo F. Ginex, Village Manager *R.F. Ginex*
PURPOSE: 90 day trial – No Parking signage on the south side of 9400 Shields between Deyo and Raymond
BUDGET AMOUNT: N/A

BACKGROUND:

The Public Safety Committee met on May 24th and discussed the issue of a 90-day trial for “No Parking” signage on the south side of 9400 Shields between Deyo and Raymond. They are asking that the signage restricts parking on school days for Congress Park School between 7:30 – 8:30 am and 2:30 – 3:30 pm.

Presently, under our code, **Chapter 18, Sec. 18-129**, the Village Manager can only impose a temporary suspension for street sweeping, roadway restoration, or snow removal.

This trial period would be implemented in August prior to the school year beginning.

ATTACHMENTS:

1. Public Safety Request

STAFF RECOMMENDATION:

The issue is discussed and approved by the Board.

REQUESTED COURSE OF ACTION:

The Board approves an ordinance at the August 8th meeting.



Village of Brookfield

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TREE CITY U.S.A. Since 1981

HOME OF THE CHICAGO
ZOOLOGICAL SOCIETY

June 30, 2011

Riccardo Ginex, Village Manager
Village of Brookfield
8820 Brookfield Ave.
Brookfield, IL 60513

Dear Mr. Ginex,

The Public Safety Committee met on May 24, 2011 and discussed a matter in which a resident requested the removal of a No Parking Sign in front of their residence located on the 9400 block of Shields between Deyo and Raymond.

Currently there is no parking on both the north and south side of the 9400 block of Shields. Adjacent blocks of Shields allow parking on one or both sides. The 9400 block of Shields consists of residential buildings.

Upon discussion, a motion was made and a vote was unanimously approved for a temporary 90 day trial. The Public Safety Committee desires approval from you and the implementation of a 90 day ordinance placing signage on the south side of the 9400 block of Shields (affecting east bound traffic) between Deyo and Raymond. The sign being requested is to state; "No Parking on School Days - 7:30am - 8:30am & 2:30pm - 3:30pm". The school wording is due the Congress Park School located on the 9300 block of Shields. The north side of the 9400 block of Shields will remain no parking.

Your attention to this matter is greatly appreciated. If you have any questions, please feel free to contact me at (312) 780-5680, or roy.lehto@comcast.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Roy Lehto", followed by a horizontal line.

Roy Lehto
Public Safety Committee Chairman



COMMITTEE ITEM MEMO

ITEM: VEHICLE SEIZURE AND IMPOUND ORDINANCE
COMMITTEE DATE: July 25, 2011
PREPARED BY: Riccardo F. Ginex, Village Manager *R.F. Ginex*
PURPOSE: Enact an ordinance authorizing the Police Department to charge an Administrative Fee for applicable offenses
BUDGET AMOUNT: N/A

BACKGROUND:

If the Board recalls, on March 10, 2008, staff came with the request to enact an Administrative Fee for vehicles that are seized and impounded for specific criminal offenses. During our discussion, it appeared that the legal authority was lacking to enact this ordinance under the present state statutes as a Non-Home Rule municipality.

At the beginning of the year, President Garvey worked with Congressman Zalewski to get a bill filed for consideration in the legislature. The bill was labeled **HB 1220 ADMINISTRATIVE IMPOUNDMENT**. A synopsis of the bill states,

"Amends the Illinois Vehicle Code. Provides that any municipality may, consistent with the new provision, establish by ordinance procedures for the release of properly impounded vehicles that were used in the commission of specified offenses and for the imposition of a reasonable administrative fee related to the municipality's administrative and processing costs associated with the removal, impoundment, storage, and release of the vehicle. Provides that the administrative fee shall be waived by the municipality upon verifiable proof that the vehicle was stolen at the time the vehicle was impounded. Lists the costs for which fees may be imposed. Provides that the registered owner of the impounded vehicle is entitled to a hearing to contest the imposition of fees".

Once the bill passed out of the House, Senator's Sandack and Landek sponsored it in the Senate. The bill passed both houses and was sent to the Governor for his signature. The Governor signed the bill on Thursday, July 14th and it became Public Act 097-0109. The effective date of the Act is January 1, 2012. The attached ordinance will allow the Village to begin charging fees for the offenses outlined under the act.

ATTACHMENTS:

1. Draft Ordinance
2. Public Act 097-0109
3. Chief Stelter's March 10, 2008 Memo

STAFF RECOMMENDATION:

The ordinance is discussed and approved by the Board.

REQUESTED COURSE OF ACTION:

The Board approves the ordinance at the August 8th meeting.

Public Act 097-0109

HB1220 Enrolled

LRB097 06352 HEP 46432 b

AN ACT concerning transportation.

Be it enacted by the People of the State of Illinois,
represented in the General Assembly:

Section 5. The Illinois Vehicle Code is amended by adding
Section 11-208.7 as follows:

(625 ILCS 5/11-208.7 new)

Sec. 11-208.7. Administrative fees and procedures for
impounding vehicles for specified violations.

(a) Any municipality may, consistent with this Section,
provide by ordinance procedures for the release of properly
impounded vehicles and for the imposition of a reasonable
administrative fee related to its administrative and
processing costs associated with the investigation, arrest,
and detention of an offender, or the removal, impoundment,
storage, and release of the vehicle. The administrative fee
imposed by the municipality may be in addition to any fees
charged for the towing and storage of an impounded vehicle. The
administrative fee shall be waived by the municipality upon
verifiable proof that the vehicle was stolen at the time the
vehicle was impounded.

(b) Any ordinance establishing procedures for the release
of properly impounded vehicles under this Section may impose
fees for the following violations:

(1) operation or use of a motor vehicle in the
commission of, or in the attempt to commit, an offense for
which a motor vehicle may be seized and forfeited pursuant
to Section 36-1 of the Criminal Code of 1961; or

(2) driving under the influence of alcohol, another
drug or drugs, an intoxicating compound or compounds, or
any combination thereof, in violation of Section 11-501 of
this Code; or

(3) operation or use of a motor vehicle in the
commission of, or in the attempt to commit, a felony or in
violation of the Cannabis Control Act; or

(4) operation or use of a motor vehicle in the
commission of, or in the attempt to commit, an offense in
violation of the Illinois Controlled Substances Act; or

(5) operation or use of a motor vehicle in the
commission of, or in the attempt to commit, an offense in
violation of Section 24-1, 24-1.5, or 24-3.1 of the
Criminal Code of 1961; or

(6) driving while a driver's license, permit, or
privilege to operate a motor vehicle is suspended or
revoked pursuant to Section 6-303 of this Code; except that
vehicles shall not be subjected to seizure or impoundment
if the suspension is for an unpaid citation (parking or
moving) or due to failure to comply with emission testing;
or

(7) operation or use of a motor vehicle while
soliciting, possessing, or attempting to solicit or

possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act; or

(8) operation or use of a motor vehicle with an expired driver's license, in violation of Section 6-101 of this Code, if the period of expiration is greater than one year; or

(9) operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of Section 6-101 of this Code, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or

(10) operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of this Code; or

(11) operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961; or

(12) operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961, when so provided by local ordinance.

(c) The following shall apply to any fees imposed for administrative and processing costs pursuant to subsection (b):

(1) All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or the agents of that owner.

(2) The fees shall be in addition to (i) any other penalties that may be assessed by a court of law for the underlying violations; and (ii) any towing or storage fees, or both, charged by the towing company.

(3) The fees shall be uniform for all similarly situated vehicles.

(4) The fees shall be collected by and paid to the municipality imposing the fees.

(5) The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle.

(d) Any ordinance establishing procedures for the release of properly impounded vehicles under this Section shall provide for an opportunity for a hearing, as provided in subdivision (b)(4) of Section 11-208.3 of this Code, and for the release of the vehicle to the owner of record, lessee, or a lienholder of record upon payment of all administrative fees and towing and storage fees.

(e) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include the following provisions concerning notice of impoundment:

(1) Whenever a police officer has cause to believe that a motor vehicle is subject to impoundment, the officer shall provide for the towing of the vehicle to a facility authorized by the municipality.

(2) At the time the vehicle is towed, the municipality shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the

vehicle owner's or lessee's right to an administrative hearing.

(3) The municipality shall also provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle or a lienholder posts with the municipality a bond equal to the administrative fee as provided by ordinance and pays for all towing and storage charges.

(f) Any ordinance establishing procedures for the impoundment and release of vehicles under this Section shall include a provision providing that the registered owner or lessee of the vehicle and any lienholder of record shall be provided with a notice of hearing. The notice shall:

(1) be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;

(2) be served upon interested parties within 10 days after a vehicle is impounded by the municipality; and

(3) contain the date, time, and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing.

(g) In addition to the requirements contained in subdivision (b)(4) of Section 11-208.3 of this Code relating to administrative hearings, any ordinance providing for the impoundment and release of vehicles under this Section shall include the following requirements concerning administrative hearings:

(1) administrative hearings shall be conducted by a hearing officer who is an attorney licensed to practice law in this State for a minimum of 3 years;

(2) at the conclusion of the administrative hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment;

(3) if the basis for the vehicle impoundment is sustained by the administrative hearing officer, any administrative fee posted to secure the release of the vehicle shall be forfeited to the municipality;

(4) all final decisions of the administrative hearing officer shall be subject to review under the provisions of the Administrative Review Law; and

(5) unless the administrative hearing officer overturns the basis for the vehicle impoundment, no vehicle shall be released to the owner, lessee, or lienholder of record until all administrative fees and towing and storage charges are paid.

(h) Vehicles not retrieved from the towing facility or storage facility within 35 days after the administrative hearing officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of Article II of Chapter 4 of this Code.

(i) Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this Section which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Administrative Review Law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

Effective Date: 1/1/2012



COMMITTEE ITEM MEMO

ITEM: Fiscal Year 2008 Budget/ Vehicle Seizure & Impoundment Ordinance

COMMITTEE DATE: March 10, 2008

PREPARED BY: Steven Stelter, Chief of Police

PURPOSE: To authorize the Police Department to charge an Administrative Fee for applicable criminal offenses.

BUDGET AMOUNT: N/A

BACKGROUND:

The Brookfield Police Department is proposing a new procedure in order to convey a message to the residents of this Village that individuals who violate the law within our community need to be penalized and held accountable. The fees that will be charged will assist with costs associated for these crimes and the hope of discouraging future incidents by the offenders.

Currently, the Police Department tows vehicles for all incidents to arrest. The proposed ordinance will require vehicles to be impounded from individuals arrested for the following incidents:

- Possession or Delivery of a Controlled Substance, to include Drug Paraphernalia
- Driving Under the Influence of Alcohol and/or Drugs
- Possession or Transportation of Alcohol
- Driving while License, Permit or Operate a Motor Vehicle is Suspended or Revoked
- Operation of a Motor Vehicle without a Driver's License
- Unlawful Use of Weapons
- Solicitation of a Prostitute or Sexual Act
- Any Felony Offense

At the time the vehicle is towed by a Village approved tow agency, the vehicle owner or individual found to be in control of the vehicle at the time of the alleged violation, will be notified by the arresting officer of the seizure and of their right to request a preliminary hearing. If a bond in the amount of (\$500.00) five hundred dollars is posted with the Village of Brookfield, the vehicle may be released to the owner of record, providing, payment is also received by the tow agency for the original tow as well as storage fees.

If a penalty is imposed for the violation, the bond will be forfeited to the Village of Brookfield. In the event the violation is not proven, the bond shall be returned to the person that posted the bond. All bond money shall be held by the Village until the hearing officer issues a decision. If there is a judicial review, then the reviewing court will issue the final decision. The formal rules of evidence shall not apply at the hearing and hearsay testimony is admissible.

Should the owner request a preliminary hearing within 12 hours after the seizure, a Preliminary Hearing Officer of the Village must conduct a preliminary hearing within 24 hours of the request. Should the 24 hours fall on a Saturday, Sunday or legal holiday the preliminary hearing will be conducted the next business day. During this hearing, all interested persons shall be given a reasonable opportunity to be heard.

Within (10) ten days of the seizure, the Village shall notify the owner of record the date, time and location of the hearing. The notice will be sent certified mail, return receipt requested, to the owner of record as shown on the records of the Illinois Secretary of State. Such notice is unnecessary if the owner has been served personally, in written form of the time, date and location of the hearing. When posting the

(\$500.00) five hundred dollar bond, the owner of record may forfeit the (\$500.00) five hundred dollars to the Village as the civil penalty and waive their right to an Administrative Hearing.

Unless continued by order of the Final Hearing Officer, the hearing shall be held within (45) forty five days after the vehicle was seized. If the owner fails to appear at the hearing, the Final Hearing Officer shall enter an order of default in favor of the Village, which order shall require the payment of (\$500.00) five hundred dollars to the Village.

There are numerous communities that currently have ordinances in affect. These communities include: Berwyn, Countryside, Justice, Chicago Heights, Chicago, Aurora, Downers Grove, Buffalo Grove, Cicero, Park Forest, Arlington Heights and Hanover Park.

ATTACHMENTS:

1. Draft ordinance amendment

STAFF RECOMMENDATION:

The board approves the Vehicle Seizure/Impoundment Ordinance authorizing the Police Department charge an Administrative Fee of \$500.00 for applicable offenses.

REQUESTED COURSE OF ACTION:

This matter is brought before the board on March 24, 2008 for approval.

ORDINANCE NO. 2011 -

**AN ORDINANCE AMENDING CHAPTER 18, ENTITLED "MOTOR VEHICLES
AND TRAFFIC" OF THE CODE OF ORDINANCES, VILLAGE OF BROOKFIELD,
ILLINOIS, PROVIDING FOR THE SEIZURE AND IMPOUNDMENT OF MOTOR
VEHICLES USED IN THE COMMISSION OF CERTAIN OFFENSES**

**PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 8TH DAY OF AUGUST 2011**

Published in pamphlet form by
authority of the Corporate
Authorities of Brookfield, Illinois,
the 8th day of August 2011.

ORDINANCE NO. 2011-

AN ORDINANCE AMENDING CHAPTER 18, ENTITLED "MOTOR VEHICLES AND TRAFFIC" OF THE CODE OF ORDINANCES, VILLAGE OF BROOKFIELD, ILLINOIS, PROVIDING FOR THE SEIZURE AND IMPOUNDMENT OF MOTOR VEHICLES USED IN THE COMMISSION OF CERTAIN OFFENSES

WHEREAS, the corporate authorities of the Village of Brookfield, are expressly authorized by Section 11-208.7 of the Illinois Vehicle Code (625 ILCS 5/11-208.7) to provide by ordinance procedures for impounded vehicles and for the imposition of a reasonable administrative fee related to its administrative and processing costs associated with the investigation, arrest and detention of an offender, or the removal, impoundment, storage and release of the vehicle;

WHEREAS, the corporate authorities of the Village of Brookfield have determined and hereby declare that the use of and operation of motor vehicles upon the streets and highways of the Village during the commission of criminal offenses within the Village of Brookfield adversely affect the health, welfare, safety, morals and welfare of the residents of the Village of Brookfield;

WHEREAS, the corporate authorities of the Village of Brookfield have determined and find that the Village of Brookfield has incurred and continues to incur significant costs in terms of expenditure of manpower hours, salaries and additional costs associated with the arrest and processing of offenders, as well as the cost incurred by the Village of Brookfield in the removal from the public ways of motor vehicles used in the commission of criminal offenses;

WHEREAS, the corporate authorities find that an administrative fee of Five Hundred Dollars (\$500.00) is a reasonable amount to meet the Village of Brookfield's costs incurred in the arrest and processing of offenders, the removal of motor vehicles

used in the commission of criminal offenses from the public roadways, as well as the costs incurred for preparing, prosecuting, hearing and disposing of such criminal offenses, as proportionate to the likely costs of administrative proceedings and costs caused by an offender's use of a motor vehicle during the commission of certain criminal offenses;

WHEREAS, the seizure and impoundment of motor vehicles used in the commission of criminal offenses and requiring the owner of the motor vehicle to pay the towing and storage expenses are remedial in nature and reimburse the Village of Brookfield for the actual expenses incurred by the Village of Brookfield; and such expenses should be borne by those perpetrating the criminal offense and not by the Village of Brookfield, its residents and taxpayers;

WHEREAS, the corporate authorities find that the administrative fee provided herein is sufficient and significant enough to act as a deterrent to the use of motor vehicles during the commission of certain criminal offenses and is sufficient and significant enough for motor vehicle owners to be more vigilant in the use of their motor vehicles by themselves and by persons to whom the owner may grant authorization to drive their motor vehicles;

WHEREAS, the corporate authorities further find that the seizure and impoundment of motor vehicles used in the commission of certain criminal offenses to be a reasonable method of addressing these issues; and

WHEREAS, it is in the best interest of the health, safety and welfare of the residents of the Village of Brookfield that the Village of Brookfield, through its police officers, be granted the authority to seize and impound motor vehicles when there is

probable cause to believe such motor vehicles are used during the commission of those criminal offenses as defined in this ordinance, as such violations and use of motor vehicles during the commission or attempted commission of such criminal offenses, or in furtherance of such criminal offenses, constitute a public nuisance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Brookfield, Cook County, Illinois, as follows:

Section 1: Recitals. The foregoing recitals are adopted as the findings of the corporate authorities of the Village of Brookfield, and said findings are incorporated herein as if fully restated.

Section 2: Amendment. Chapter 18 entitled "Motor Vehicles and Traffic" of the Code of Ordinances, Village of Brookfield, Illinois, as amended, is hereby further amended, by adding thereto, Article XII to read as follows:

Article XII

Seizure and Impoundment of Motor Vehicles Used in the Commission of Criminal Offenses.

SEC. 18-310 Definitions.

For the purposes of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (A) **Administrative Fee:** The fee in the amount of Five Hundred Dollars (\$500.00) imposed by the Village pursuant to this article related to its administrative and processing costs associated with the investigation, arrest and detention of an Offender arrested for a criminal offense listed in this article, or the removal, impoundment, storage and release of the Motor Vehicle operated, used, or in the physical control of the Offender on any public highway or roadway within the Village during the commission of, or in furtherance of, any criminal offense listed in this article.
- (B) **Hearing Officer:** An attorney licensed to practice law in the State of Illinois for a period in excess of three (3) years, appointed by the

Village to serve and preside as the hearing officer for the Village's administrative adjudication hearing system.

- (C) **Motor Vehicle:** Every vehicle which is self-propelled as defined by the Illinois Vehicle Code (625 ILCS 5/1-146), except a vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, vehicles moved solely by human power, and motorized wheelchairs.
- (D) **Offender:** Any person who is the Registered Owner of a Motor Vehicle, who is the agent of the Registered Owner of a Motor Vehicle or who is in physical control of a Motor Vehicle with the express or implied permission or consent of the Registered Owner and who is arrested for the commission of an offense listed in this article and was operating or using the Motor Vehicle during the commission or in furtherance of any criminal offense listed in this article.
- (E) **Registered Owner:** The record titleholder to a Motor Vehicle, as registered with the Secretary of State of the State of Illinois or any other applicable governmental agency.
- (F) **Village:** The Village of Brookfield, Illinois

SEC. 18-311 Offenses Subject to Motor Vehicle Seizure and Impoundment.

Any Motor Vehicle operated or used by an Offender on any public highway or roadway within the Village during the commission of, or in furtherance of, any of the following criminal offenses shall be subject to seizure and impoundment by the Village:

- (A) Prostitution (720 ILCS 5/11-14), soliciting for a prostitute (720 ILCS 5/11-15), soliciting for a juvenile prostitute (720 ILCS 5/11-15.1), patronizing a prostitute (720 ILCS 5/11-18), patronizing a juvenile prostitute (720 ILCS 5/11-18.1);
- (B) Aggravated battery with a firearm (720 ILCS 5/12-4.2);
- (C) Unlawful use of Weapon (720 ILCS 5/24-1), aggravated discharge of a firearm (720 ILCS 5/24-1.2), reckless discharge of a firearm (720 ILCS 5/24-1.5), possession of explosives or explosive or incendiary devices (720 ILCS 5/20-2);
- (D) Possession of more than ten (10) grams (720 ILCS 550/4) of cannabis;

- (E) Possession of a controlled substance (720 ILCS 570/401 thru 720 ILCS 570/413, inclusive);
- (F) Operating a motor vehicle with no valid driver's license (625 ILCS 5/6-101), or a similar provision of this Code, excluding driving with an expired driver's license for less than one (1) year.
- (G) Driving while driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked (625 ILCS 5/6-303), or a similar provision of this Code, excluding only a suspension resulting for failure to comply with the Vehicle Emissions Inspection Law;
- (H) Driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof (625 ILCS 5/11-501), or a similar provision of this Code;
- (I) Operation of motor vehicle when registration suspended for non-insurance (625 ILCS 5/3-708), or a similar provision of this Code;
- (J) Fleeing or attempting to elude a peace officer (625 ILCS 5/11-204), aggravated fleeing or attempt to elude a peace officer (625 ILCS 5/11-204.1), or a similar provision of this Code;
- (K) Reckless driving; aggravated reckless driving (625 ILCS 5/11-503), or a similar provision of this Code; and
- (L) Street racing; aggravated street racing (625 ILCS 5/11-506), or a similar provision of this Code.

SEC. 18-312 Vehicle Seizure and Impoundment.

The Registered Owner of any Motor Vehicle impounded by the Village pursuant to this article shall be liable to the Village for the payment of the Administrative Fee as provided in this article in addition to any towing and storage fees as hereinafter provided.

SEC. 18-313 Existing Regulations Not Abrogated.

- (A) The provisions of this article shall be in addition to and shall not replace or otherwise abrogate any existing state or federal law or Village ordinance that relates to the seizure and/or impoundment of motor vehicles, including a seizure pursuant to Article 36 of the Illinois Criminal Code (720 ILCS 5/36-1). Any Administrative Fee or cost provided herein shall be in addition to (i) any and all penalties and fees that may be assessed or imposed by a court for violation

of any criminal offense or local ordinance violation offense and (ii) any towing or storage fees, or both, charged by any towing company.

- (B) Any and all fees incurred for towing and/or storage of a motor vehicle impounded under this article shall be those approved by the Chief of Police for all towing companies authorized to tow for the Village.

SEC. 18-314 Waiver of Administrative Fee.

The Administrative Fee shall be waived if verifiable proof is presented to the Village that at the time the Motor Vehicle was impounded, the Motor Vehicle was stolen.

SEC. 18-315 Notice/Towing Impoundment/Release.

- (A) Whenever a police officer has probable cause to believe that a Motor Vehicle is subject to seizure and impoundment pursuant to this article and the police officer has arrested the Offender for any of the criminal offenses set forth in Section 18-311 of this article, the police officer shall provide for the towing of the Motor Vehicle to a facility authorized by the Village.
- (B) Prior to or at the time the Motor Vehicle is towed, the police officer shall notify or make a reasonable attempt to notify the Registered Owner, lessee, or person identifying himself or herself as the owner or lessee of the Motor Vehicle or any person(s) identifying himself/herself as the Registered Owner of the Motor Vehicle, or any person who is found to be in physical control of the Motor Vehicle at the time of the alleged criminal offense (a) of the fact of the seizure and of the Motor Vehicle Registered Owner's or lessee's right to request a preliminary Motor Vehicle impoundment hearing to be conducted in accordance with Section 18-316(A) and a hearing pursuant to Section 18-316(B) and (b) that the Motor Vehicle shall be impounded pending the completion of the hearing(s) provided for in Sections 18-316(A) and/or 18-316(B) herein, unless the owner of the Motor Vehicle or a person on his/her behalf posts with the Village a cash bond in the amount of Five Hundred Dollars (\$500.00) and pays any and all towing and storage charges.
- (C) Notwithstanding the provisions of Section 18-315(A) herein, the arresting police officer may, prior to towing the Motor Vehicle, release the Motor Vehicle if the Offender was not the Registered Owner of the Motor Vehicle and the Registered Owner or some

other person legally authorized to possess the Motor Vehicle arrives at the scene of the arrest prior to the actual removal or towing of the Motor Vehicle and the Registered Owner or person lawfully entitled to possession of the Motor Vehicle possesses a valid operator's license, proof of ownership or registration, proof of liability insurance and would not, as determined by the arresting police officer, indicate a lack of ability to operate the Motor Vehicle in a safe manner, or who would otherwise, by operating the Motor Vehicle, not be in violation of the Illinois Vehicle Code.

- (D) If the Registered Owner of the Motor Vehicle subject seizure and impoundment is the Offender, the arresting officer may, prior to the actual removal or towing of the Motor Vehicle, release the Motor Vehicle to another person present with the written consent of the Registered Owner, provided that such other person possesses a valid operator's license, proof of liability insurance and would not, as determined by the arresting police officer, indicate a lack of ability to operate the Motor Vehicle in a safe manner or who would otherwise, by operating the Motor Vehicle, not be in violation of the Illinois Vehicle Code.

SEC. 18-316 Hearings.

- (A) Preliminary Hearing.

The Registered Owner or lessee of a Motor Vehicle seized and impounded may contest the seizure and impoundment of the Motor Vehicle by requesting a preliminary hearing. The Registered Owner must make a request for a preliminary hearing within twenty-four (24) hours of the seizure. The request shall be deemed filed upon delivery to the Chief of Police c/o the Village Police Department. The preliminary hearing request shall be in writing and the Chief of Police or his designee shall conduct the preliminary hearing within twenty-four (24) hours after receipt of the request, excluding Saturdays, Sundays, or Village holidays, in which case the preliminary hearing shall be heard on the next business day after the request. All interested parties shall be given a reasonable opportunity to be heard at the preliminary hearing. The formal rules of evidence shall not apply at the hearing, and hearsay evidence shall be admissible only if it is of the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. If, after the hearing, the Chief of Police or his designee determines that there is probable cause to believe that the Motor Vehicle is subject to seizure and impoundment, he/she shall order the continued impoundment of the Motor Vehicle as herein provided, unless the Registered Owner of the Motor Vehicle

posts with the Village a cash bond in the amount of Five Hundred (\$500.00) Dollars, and pays any applicable towing and storage fees. If the Chief of Police or his/her designee determines that there is no such probable cause to believe the Motor Vehicle was used, operated or in the physical control of the Offender during the commission or attempted commission of any of the criminal offenses set forth in Section 18-311, then the Motor Vehicle shall be returned to the Registered Owner and any bond posted shall be returned.

(B) Notice of Hearing to Contest Seizure; Hearing Procedures; Conduct of Hearing:

- (i) Within ten (10) days after a Motor Vehicle is seized and impounded, the Chief of Police or his designee shall notify the Registered Owner, lessee and lien holder of record of the Motor Vehicle of the seizure and impoundment of the Motor Vehicle in writing either by personal service or by first-class mail, postage prepaid, to the interested party's address as registered with the Secretary of State of the date, time, and location of the administrative hearing to be conducted and the basis for the Motor Vehicle seizure. An initial hearing shall be scheduled and convened within forty-five (45) days after the date of mailing of the notice of hearing. The Registered Owner, lessee and lien holder of record of the Motor Vehicle may appear at the hearing and may contest or elect not to contest the basis of the Motor Vehicle seizure and impoundment.
- (ii) If the Registered Owner, lessee and lien holder of record of the Motor Vehicle or such among them appearing at the hearing elect not to contest the basis for the seizure and a factual basis exists for the seizure and impoundment of the Motor Vehicle, the Hearing Officer shall impose the Administrative Fee. If the Registered Owner, lessee or lien holder of record of the Motor Vehicle appearing at the hearing elects to contest the basis for the seizure and impoundment of the Motor Vehicle, a hearing shall be held immediately, unless continued by order of the Hearing Officer. Continuances shall only be granted for good cause shown. All interested persons shall be given a reasonable opportunity to be heard at the hearing and to present all relevant evidence.
- (iii) At any time prior to the hearing date, the Hearing Officer may, upon written motion or written request by the

Registered Owner, lessee or lien holder of record of the Motor Vehicle or by the Village, direct witnesses to appear and give testimony at the hearing.

- (iv) Subpoenas for the production of witnesses and records may be issued upon request of either party.
 - (v) The formal rules of evidence shall not apply at the hearing, and hearsay evidence shall be admissible only if it is of the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. An arresting police officer's sworn report and copies of driving abstracts or records issued by the Illinois Secretary of State shall be admissible.
- (C) If, after the hearing, the Hearing Officer determines by a preponderance of the evidence that there is probable cause to believe that the Motor Vehicle was used or operated by an Offender during the commission or in furtherance of any criminal offense listed in this article and that at the time of the impoundment the Motor Vehicle was not stolen, the Hearing Officer shall enter an order finding the Registered Owner of the Motor Vehicle civilly liable to the Village for the Administrative Fee. The Hearing Officer shall order the Motor Vehicle to remain impounded until the Registered Owner, lessee, lien holder of record of the Motor Vehicle or someone on behalf of the Registered Owner pays the Administrative Fee to the Village and pays any and all fees to the towing entity or Village for the towing and storage of the Motor Vehicle, as the case may be. If, after proper service of notice, the Registered Owner, lessee or lien holder of record of the Motor Vehicle fails to appear at the hearing, the Hearing Officer shall conduct the hearing in absentia. If, after the hearing, the Hearing Officer determines by a preponderance of the evidence that there is probable cause to believe that the Motor Vehicle was used or operated by an Offender during the commission or in furtherance of any criminal offense listed in this article and that at the time of the impoundment, the Motor Vehicle was not stolen, the Hearing Officer shall enter a default order finding the Registered Owner of the Motor Vehicle civilly liable to the Village for the Administrative Fee. A copy of the default order shall be sent to the Registered Owner of the Motor Vehicle via certified mail, return receipt requested, and first-class mail, postage prepaid.

If, after the hearing, the Hearing Officer finds that probable cause does not exist to believe the Motor Vehicle was used during the commission of a criminal offense as set forth in Section 18-311 or that at the time of the impoundment the Motor Vehicle was stolen,

the Hearing Officer shall enter an order for the immediate return of the Motor Vehicle and/or return of cash bond, if posted, to the owner without assessing any Administrative Fee.

- (D) All hearings shall be recorded, and said recording shall be the official record of the proceedings. All findings, decisions and orders of the Hearing Officer shall be reduced to writing, signed by the Hearing Officer and served upon all parties by first-class mail, postage prepaid or personal delivery, within seven (7) business days after the hearing. Service of the findings, decisions and orders of the Hearing Officer shall be complete upon the date of mailing.

SEC. 18-317. Petition to Vacate Hearing Officer's Final Determination.

The Registered Owner of a Motor Vehicle impounded under this article may file a petition to vacate a final determination of the Hearing Officer imposing an Administrative Fee. The petition shall be filed with the Hearing Officer within fourteen (14) days following:

- (1) The date of mailing of a default order to the Registered Owner of a Motor Vehicle; or
- (2) The Hearing Officer's determination of liability for the Administrative Fee, if the Registered Owner or lessee requested a hearing.

A petition to vacate a final determination of the Hearing Officer shall include:

- (1) The name and address of the Registered Owner to which the Hearing Officer's decision and any future notices are to be sent;
- (2) The registration number of the Motor Vehicle;
- (3) The specific grounds upon which the final determination is requested to be vacated; and
- (7) Any supporting documentation relied upon by the petitioner.

The grounds of the petition to set aside a determination shall be limited to the following:

- (1) The person owing the unpaid Administrative Fee was not the Registered Owner or lessee of the Motor Vehicle on the date of the offense;
- (2) The Administrative Fee was paid; or
- (3) An excusable failure to appear at or request a new date for a hearing.

The Hearing Officer shall render a written decision within fourteen (14) days of the receipt of the petition to vacate a final determination. Upon rendering a decision upon a petition to vacate a final determination, the Hearing Officer shall send a copy of the written decision to the petitioner by first class United States mail, postage prepaid. If the petition to vacate a final determination shows just cause, the Hearing Officer shall set aside the liability determination and also send a copy of the Hearing Officer's determination to the Registered Owner of the Motor Vehicle. After a final determination of Administrative Fee liability has been set aside upon a showing of just cause, the Owner of Record or lessee, as the proper case may be, shall be provided with a hearing to determine the liability for the payment of the Administrative Fee. The Hearing Officer's written decision shall specify the time and date of and the location at which a hearing contesting the liability for the payment of the Administrative Fee shall be held.

SEC. 18-318 Administrative Fee.

Any Administrative Fee imposed shall be a debt due and owing to the Village. All Administrative Fees shall be paid into the General Corporate Fund of the Village. If a cash bond has been posted, the bond shall be applied to the Administrative Fee imposed. Unless stayed by a court of competent jurisdiction, any fine, penalty or Administrative Fee imposed under this article which remains unpaid, in whole or in part, after the expiration of the deadline for seeking judicial review under the Administrative Review Law, may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. Except as may otherwise be provided in this article, any Motor Vehicle impounded shall continue to be impounded until the Administrative Fee is paid to the Village and any applicable towing and storage fees are paid to the towing company or to the Village, as the proper case may be.

SEC. 18-319 Vehicle Possession.

Except as may otherwise be provided by law or by Order of the Hearing Officer, no Registered Owner, lessee, lien holder of record, or other person shall be legally entitled to take possession of a seized and impounded Motor Vehicle until the bond, Administrative Fee and/or towing and storage fees have been paid. The foregoing notwithstanding, whenever a lien holder has commenced foreclosure or repossession proceedings, possession of the Motor Vehicle shall be given to that person if the lien holder of record agrees in writing to refund to the Village the amount of the net proceeds of any foreclosure sale, less any amounts necessary to satisfy all other lien holders. If the Motor Vehicle is not retrieved from the towing facility or storage facility within thirty-five (35) days after the Hearing Officer issues a written decision or if the Administrative Fee and applicable towing and storage fees are not paid within thirty (30) days after the expiration of time in which judicial review of the Hearing Officer's determination may be sought, or if judicial review is taken, within thirty (30) days after the Hearing Officer's determination is affirmed by the court, whichever is applicable,

the Motor Vehicle shall be deemed abandoned and disposed of in accordance with the provisions of Article II of Chapter 4 of the Illinois Vehicle Code.

SEC. 18-320 Judicial Review.

Judicial Review of final determinations of the Hearing Officer made under this article shall be subject to judicial review pursuant to the provisions of the Administrative Review Act, 735 ILCS 5/301, *et seq.*

Section 3: Severability.

If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision or application of such provision is severable, unless otherwise provided by Ordinance.

Section 4: Repealer.

Any ordinance or portion of any ordinance in conflict with the provisions of this Ordinance is repealed solely to the extent of such conflict.

[THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY.]

Section 5: Effective Date.

This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law on January 1, 2012.

ADOPTED this 8th day of August 2011 pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this 8th day of August 2011.

Michael J. Garvey, President of the
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office,
and published in pamphlet form
this 8th day of August 2011.


Brigid Weber, Clerk of the Village
of Brookfield, Cook County, Illinois



COMMITTEE ITEM MEMO

ITEM: Ordinance Amending Chapter 4 Regarding Regulation of Animals (Chickens)

COMMITTEE DATE: July 25, 2011

PREPARED BY: Keith Sbiral, AICP, Assistant Village Manager 

PURPOSE: Discuss keeping of Chickens (hens) and Animals in Brookfield

BUDGET AMOUNT: N/A

BACKGROUND:

In September 2010, Village Staff brought forward a proposal for amendments to Chapter 4 of the Village Code. The Committee Item Memo stated, "Over the past several years the Police Department and the adjudication hearing officer have determined that the Village of Brookfield should consider adoption of a Dog Bite Ordinance. Currently there is no way to prosecute the dog bite specifically in our Code. The primary prosecution of these incidents are under leash ordinances." The ordinance proposed (ORD 2010-68) went further to clarify previously ambiguous sections of code including the keeping of poultry in Brookfield.

Subsequent to the consideration of Ordinance 2010-68, which was ultimately not adopted, uncontrolled dogs continue to be a frequent citation at local adjudication court. Additionally, the perceived ambiguity of the definition of "livestock" in Chapter 4 of the Village Code has again come into question during enforcement of the Property Maintenance Code and local adjudication regarding the keeping of chickens (hens) in Brookfield.

Both the current Chapter 4 and proposed Chapter 4 of the Village Code are attached to this memo. Pertinent sections as related to chickens are highlighted.

Justification of Chickens:

It is important to note that there has been substantial consideration given to allowing chickens (hens), specifically *Gallus Gallus Domesticas* (definition attached), to be raised in urban environments over the past several years. Specifically, the connection between environmental and health benefits due to proximity to food sources has become a key consideration in transportation policy, environmental policy, and agricultural policy worldwide. For further consideration of urban agriculture and food planning I have attached the American Planning Association, "Final Policy Guide on Community and Regional Food Planning," for supplemental reading.

Additionally, there is limited history in Brookfield to poultry based businesses and ownership. Attached to this memo are two selections from the Brookfield History Book. This information is provided only as background.

It is important to note that in the past 10 years several municipalities in northeast Illinois have taken chicken ordinances under consideration. Several municipalities have determined raising chickens is acceptable and several have determined it is not. These municipalities have varied widely in metrics such as lot size, population, etc. Chicago, for instance, permits raising chickens. I have attached two additional articles from local newspapers for background reading from nearby Western Springs as well

as Evanston, each of these communities have approved chickens in their communities. ***If the Board of Trustees should choose to consider permitting raising chickens in Brookfield***, Staff recommends utilizing an ordinance similar to the ordinance adopted by Evanston, Illinois (attached).

Concerns of Chickens:

It is important to note that roosters have noise issues related and are typically never permitted in ordinances allowing chickens. Further, it is important to note that all property maintenance and inspections relating to current cases in the Village of Brookfield stem from neighborhood complaints. There have been several (less than 5) ongoing chicken issues in the Village over the past several years.

The status quo interpretation of the Village Code is that chickens are not permitted in the Village. Until consideration of this ordinance that has been the enforcement policy of the Building and Planning Department over the past 5 years.

Staff recommends maintaining the status quo and not allowing chickens in Brookfield.

ATTACHMENTS:

1. Chapter 4, Current Village Code
2. Proposed Draft Ordinance 2010-68; Village of Brookfield, previously considered December 2010.
3. "Chickens Arrive on Lawn Avenue...", Western Springs Patch, July 1, 2011
4. "Chickens Pass Muster in Evanston", Chicago Tribune, September 29, 2010
5. Ordinance 23-0-10, Evanston, IL; Ordinance Amended for Chickens
6. Pertinent pages from, "Brookfield, Illinois; a History," 1994
7. Definition of *Gallus Gallus Domesticus*; www.wikipedia.com, July 21, 2011

STAFF RECOMMENDATION:

Staff has extensively reviewed Village Ordinances, other municipal ordinances, standard American Planning Association policies and guidelines, as well as miscellaneous information relative to the environmental and personal health benefits of urban agriculture. While certain benefits are undeniable, due to the potential for increased enforcement issues, subdivision layout of the Village, and existing compliance issues, and clarification of code ambiguity with both chicken and vicious dog related issues; ***Staff maintaining the status quo and recommends the reconsideration and adoption of Ordinance 2010-68.***

REQUESTED COURSE OF ACTION:

The Board of Trustees will be provided a renumbered ordinance for approval at the August 8, 2011 Board of Trustees Meeting.

CHAPTER 4 ANIMALS AND FOWL

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CHAPTER 4 ANIMALS AND FOWL

ARTICLE I IN GENERAL, SS 4-1--4-16

SEC. 04-1. Keeping of livestock prohibited

It shall be unlawful for any person to keep, harbor, possess or maintain within the village any horse, cow, mule, goat, hog or other animal commonly classified as livestock.

SEC. 04-2. Running at large of livestock and fowl prohibited

It shall be unlawful for any person to permit any cattle, swine, sheep, goats, geese, ducks, turkeys, chickens or other fowl owned by him or in his custody or control to run at large within the village, and any so found shall be impounded by the chief of police, and the owner or person having possession of such animal or fowl and allowing the same to run at large shall be guilty of a violation of this section. The herding or picketing of any such animals upon unenclosed lands without the consent of the owner or person having control of such land, or in or upon any street, alley, parkway, public ground, or railway lands within the corporate limits of the village shall be deemed "running at large" in violation of this section.

(1940 Code, SS 31.003)

State law reference--Authority of village to prohibit running at large of livestock and fowl, Ill. Rev. Stat. 1961, Ch. 24, SS 11-20-9.

SEC. 04-3. Keeping of bees prohibited

It shall be unlawful for any person to keep, harbor or maintain or permit to be kept, harbored or maintained at any place or in or upon any premises or part thereof in the village any bees or bee-hives.

(1940 Code, SS 26.001(31))

SEC. 04-4. Dangerous or vicious animals not to run at large; exhibitions or parades of wild animals

It shall be unlawful for any person to permit any dangerous animal or any vicious animal of any kind owned by him or in his custody or control to run at large within the village. Exhibitions or parades of animals which are ferae naturae in the eyes of the law may not be conducted except upon securing a permit from the board of trustees.

(1940 Code, SS 31.002)

Cross reference--Permits for parades generally, SS 18-10.

SEC. 04-5. Limit on number of cats, rabbits, etc., which may be kept

It shall be unlawful for any person to keep or harbor within the

village more than three (3) cats, rabbits, hamsters or other small domestic animals, male or female, over two (2) months old on any premises occupied by one (1) family or more. Different parties living on the same premises or in the same building, or using the same premises, shall not keep or harbor thereon more than three (3) such animals and, if they do so, each of such persons shall be guilty of violating this section. This section shall not apply to licensed pet shops, kennels and veterinary hospitals.

SEC. 04-6. Cruelty to animals generally

No person shall cruelly treat any animal in the village. Any person guilty of any of the following acts shall be guilty of a violation of this section:

(1) Overloading, overdriving, overworking, cruelly beating, torturing, tormenting, mutilating, or cruelly killing any animal, or causing or knowingly allowing the same to be done.

(2) Cruelly working any old, maimed, infirm, sick or disabled animal, or causing or knowingly allowing the same to be done.

(3) Unnecessarily failing to provide any animal in his charge or custody, as owner or otherwise, with proper food, drink, shelter, and air.

(4) Abandoning any old, maimed, infirm, sick, or disabled animal.

(5) Driving, or causing to be driven or kept, any animal in an unnecessarily cruel manner.

(6) Carrying or causing to be carried, or keeping or causing to be kept, any animal bound or tied by its legs, or bound down by the neck, so that it cannot freely stand in an upright position while being transported, or by carrying or causing to be carried, keeping or causing to be kept, any animal in any crate or cage so constructed as to permit such animal to push its head between the slats, wires or other openings of such crate or cage, unless the space between such slats or wires is sufficient to permit such animal to freely withdraw its head therefrom.

(7) No person shall manufacture, sell, offer for sale, possess, import, transport, set, take or attempt to take any animal by means of a trap of the steel jaw leg-hold type. The possession of a trapping device of this type shall be prima facie evidence of a violation of this ordinance.

Nothing in this ordinance shall prohibit the sale, transfer, possession, setting or use in or under buildings of standard household mouse or rat traps for the purpose of controlling mice and rats, nor shall this ordinance apply to the possession or use of traps for display or exhibition purposes by a non-profit organization or to a person in the act of turning over possession of traps prohibited in this section to a local law enforcement or animal welfare agency.

The word "animal," as used in this section, shall be taken and is

hereby defined to mean any dumb creature.

(1940 Code, SS 31.001, 31.009; Ord. No. 1983-16, 07-25-83)

State law references--Similar state law, Ill. Rev. Stat. 1961, Ch. 8, SS 221; authority of village to prohibit cruelty to animals, Ch. 24, SS 11-5-6.

SEC. 04-7. Killing or wounding birds

No person shall kill or wound, or attempt to kill or wound, by the use of firearms, slingshot, bow and arrow, pelting with stones or otherwise, any song, plumage or game bird within any private grounds or public park, squares, streets or grounds (such bird not being the property of the person so offending) or take the eggs of any such bird within any private enclosure or public grounds of the village for the purpose of doing any act prohibited in this section.

(1940 Code, SS 27.013)

SEC. 04-8. Animal fights prohibited

No person shall instigate, cause or procure any dog fight, cock fight, or any public or private fighting of any animals of any kind. (1940 Code, SS 27.004)

State law reference--Similar state law, Ill. Rev. Stat. 1961, Ch. 8, SS 229.

SEC. 04-9. Indecent or immoral exhibition of animals

No person shall in any manner instigate, cause, procure, or assist in any indecent or immoral show or exhibition of any animal within the village.

(1940 Code, SS 27.004)

SEC. 04-10. Procedure when animal bites person

It shall be the duty of the owner or person having custody of any dog or other animal which has bitten any person to turn such dog or other animal over to the rabies inspector appointed by the county board of Cook County pursuant to the Illinois Rabies Law*, as amended, or to his deputy, for confinement for a period of ten (10) days for observation by a licensed veterinarian. It shall be unlawful for any person having knowledge that a person has been bitten by a dog or other animal to refuse to notify the rabies inspector promptly. It shall likewise be unlawful for the owner of such dog or other animal to refuse or fail to comply with the written or printed recommendations made by the rabies inspector. Any expenses incurred in the handling of any dog or other animal under this section shall be borne by the owner.

(1940 Code, SS 31.007; Ord. of 7-23-51, SS 1; Ord. of 9-9-57, SS 1)

State law reference--Similar state law, Ill. Rev. Stat. 1961, Ch. 8, SS

23p.

*State law reference--See Ill. Rev. Stat. 1961, Ch. 8, SS 23, et seq.

SEC. 04-11. Disposition of dead animals

All dead animals in the village shall, within twelve (12) hours of the death of the same, be removed and disposed of by burial or cremation.

(1940 Code, SS 24.008)

Cross reference--Garbage and refuse generally, Ch. 13.

SEC. 04-12. Reserved

SEC. 04-13. Reserved

SEC. 04-14. Reserved

SEC. 04-15. Reserved

SEC. 04-16. Reserved

ARTICLE II DOGS AND CATS, SS 4-17--4-27

SEC. 04-17. Limit on number which may be kept

It shall be unlawful for any person to keep or harbor within the village more than three (3) dogs or cats, male or female, over two (2) months old on any premises occupied by one family or more. Different parties living on the same premises or in the same building, or using the same premises, shall not keep or harbor thereon more than three (3) such dogs or cats and, if they do so, each of such persons shall be guilty of violating this section. This section shall not apply to licensed pet shops, kennels and veterinary hospitals.

(1940 Code, SS 31.008; Ord. No. 1978-15, SS 2, 5-22-78)

SEC. 04-18. Running at large prohibited

It shall be unlawful for any person to permit any dog or cat to run at large within the village. Any dog or cat found upon any public street, sidewalk, alley, parkway, or any unenclosed place shall be deemed "running at large," unless such dog or cat is firmly held on a leash or is in an enclosed vehicle.

It shall be unlawful for any person to permit any dog or cat to go upon the lawn of any but the owner of said dog or cat or upon any public or private property without the permission of the owner of the aforementioned property.

It shall be unlawful for any person to permit any dog or cat to defecate on any property, public or private, other than the owner's of

said dog or cat.

(1940 Code, SS 31.006; Ord. of 7-2351; Ord. of 6-28-65, SS 1; Ord. No. 1978-15, SS 3, 5-22-78)

SEC. 04-19. Annual tax and license generally

Every person who harbors or keeps a dog or cat over the age of three (3) months in the village shall pay an annual tax on such dog or cat of three dollars (\$3.00). All of such taxes shall be paid in advance on or before the first day of January of each year. A charge equivalent to 50% of the annual tax shall be applied to all late payments.

The village shall keep a record of all dog taxes and cat taxes paid and shall furnish to each person paying such tax, a metal tag having stamped thereon, numbers indicating the year for which the tax is paid. A duplicate to replace a lost or destroyed tag may be issued by the village manager upon the payment of twenty-five cents (\$0.25).

The tax required by this section shall be paid to the village manager and shall be turned over by him to the village treasurer.

(1940 Code, SS 31.004; Ord. of 7-23-51, SS 1; Ord. of 9-9-57, SS 1; Ord. No. 1978-15, SS 4, 5-22-78; Ord. 89-48, 10-23-89).

SEC. 04-20. Rabies inoculations certificate prerequisite to licensing

No dog or cat shall be registered for a license by the village manager or any other authorized representative of the village, unless the owner or keeper of such dog or cat exhibits at the time of registration, a certificate by a licensed veterinarian that such dog or cat, during the current calendar year or the calendar year immediately preceding such registration for a license, has been inoculated against rabies.

(Ord. of 7-23-51, SS 1; Ord. of 9-9-57, SS 1; Ord. No. 1978-15, SS 5, 5-22-78)

State law reference--Rabies Control Act, Ill. Rev. Stat. 1961, Ch. 8, SS 23e et seq.

SEC. 04-21. License and rabies inoculation tags to be attached to collar or harness

It shall be unlawful for any person to permit any dog or cat owned by him or in his custody or control to be on any public place within the village unless such dog or cat has a collar or harness firmly attached to his body with a license tag for the current year attached, to such device, and also a tag issued by the state rabies inspector, deputy inspector, or any licensed veterinarian, showing that such dog or cat has been inoculated against rabies during the current or immediately preceding calendar year.

(1940 Code, SS 31.005; Ord. of 7-23-51, SS 1; Ord. of 9-9-57, SS 1; Ord. No. 1978-15, SS 6, 5-22-78; Ord. 89-48, 10-23-89)

SEC. 04-22. Impoundment

Any dog or cat found running at large upon any public street or highway or any dog or cat for which the annual tax has not been paid, as required by this article, shall be impounded by the village police. If such dog or cat is not redeemed within three (3) days after being impounded, it shall be disposed of in a manner prescribed by the police.

Any dog or cat may be redeemed by the owner upon payment of a fifteen dollar (\$15.00) pickup fee, a five dollar (\$5.00) maintenance charge for each day or any part thereof during which the dog or cat is impounded and the current tax, if the same is unpaid. Such fees shall be paid to the Village Manager.

(Ord. of 7-23-51, SS 2, Ord. No. 1979-15, SS 7, 5-18-78, Ord. 89-48, 10-23-89)

SEC. 04-23. Reserved

SEC. 04-24. Reserved

SEC. 04-25. Reserved

SEC. 04-26. Reserved

SEC. 04-27. Reserved

ARTICLE III VETERINARY HOSPITALS, SS 4-28--4-32

SEC. 04-28. Definition

The term "veterinary hospital," as used in this article, shall mean any institution, place or enclosure used for the harboring or reception, for care or treatment, of two (2) or more horses, dogs, cats or other animals.

(1940 Code, SS 25.421)

SEC. 04-29. To be kept free of decaying food and filth

All veterinary hospitals shall be kept free from decaying food or filth of any kind.

(1940 Code, SS 25.426)

SEC. 04-30. Confinement of animals for observation for rabies

Provisions shall be made in each veterinary hospital for securely impounding any animal confined for observation for rabies. Special precautions shall be taken to securely and separately confine any such animal during such period of observation, and a report shall be made to the commissioner of health of any such animal so confined.

(1940 Code, SS 25.426)

SEC. 04-31. Keeping of noisy animals

No person shall keep or harbor any dog or other animal shut up or tied up in any yard, enclosure or on the premises of any veterinary hospital which, by barking, howling, bawling or by other noises, shall disturb the peace and quiet of any family, individual or neighborhood.

(1940 Code, SS 25.426)

Cross reference--Noise generally, SS 17-25.

SEC. 04-32. Report of diseases

It shall be the duty of any person in charge or control of a veterinary hospital to make a report of any contagious or infectious disease which may exist in such hospital to the health division.

(1940 Code, SS 25.426)

ARTICLE III NOTES-----*Cross reference--License fee for veterinary hospitals, SS 7-24(61).

SEC. 04-999. CHAPTER NOTES

*Cross references--License fee for pet shops, SS 7-24(45); slaughterhouses prohibited within village, SS 12-1; permit for packing houses and rendering plants, SS 12-2; application of traffic regulations to persons riding animals and animal-drawn vehicles, SS 18-14.

ORDINANCE NO. 2010 - 68

**AN ORDINANCE AMENDING CHAPTER 4 OF THE VILLAGE
OF BROOKFIELD CODE OF ORDINANCES REGARDING
THE REGULATION OF ANIMALS IN THE VILLAGE OF BROOKFIELD**

**PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 13th DAY OF DECEMBER 2010**

Published in pamphlet form by
Authority of the Corporate
Authorities of Brookfield, Illinois
The 13th day of December 2010.

ORDINANCE NO. 2010 - 68

**AN ORDINANCE AMENDING CHAPTER 4 OF THE VILLAGE
OF BROOKFIELD CODE OF ORDINANCES REGARDING
THE REGULATION OF ANIMALS IN THE VILLAGE OF BROOKFIELD**

WHEREAS, the corporate authorities of the Village of Brookfield deem it to be in the best interests of the Village and its residents to revise the provisions of the Code of Ordinances, Village of Brookfield, Illinois, regarding the regulation of animals in the Village of Brookfield.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Brookfield as follows:

Section 1. Recitals.

The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendment to Section 04-1.

Section 04-1 entitled, "Keeping of Livestock Prohibited," of Article I entitled, "In General," of Chapter 4 entitled, "Animals and Fowl," of the Code of Ordinances, Village of Brookfield, Illinois, shall be and is hereby amended as follows:

Sec. 04-1. Keeping of Fowl and Livestock Prohibited

It shall be unlawful for any person to keep, harbor, possess or maintain within the village any goose, duck, turkey, chicken, horse, cow, mule, goat, hog or other animal commonly classified as livestock.

Section 3. Amendment to Section 04-10.

Section 04-10 entitled, "Procedure When Animal Bites Person," of Article I entitled, "In General," of Chapter 4 entitled, "Animals and Fowl," of the Code of Ordinances, Village of Brookfield, Illinois, shall be and is hereby amended as follows:

Sec. 04-10. Procedure When Animal Bites Person

- (1) Except as otherwise provided in subsection (3) of this Section, when any officer, agent, or employee of the Village receives information that any person has been bitten by an owned animal, the Chief of Police of the Village, or his designee, shall require that such dog or other owned animal be confined under the observation of a licensed veterinarian for a period of ten (10) days. The veterinarian observing such dog or other owned animal shall report the clinical condition of the animal immediately, with confirmation in writing to the Chief of Police of the Village, or his designee, within twenty-four (24) hours after the animal is presented for examination, giving the owner's name, address, the date of confinement, the breed, description, age, and sex of the animal, and whether the animal has been spayed or neutered. At the end of the confinement period, the veterinarian shall submit a written report to the Chief of Police of the Village, or his designee, advising him or her of the final disposition of the owned animal. When evidence is presented that the owned animal was inoculated against rabies within the time prescribed by law, it shall be confined in a house, or in a manner which will prohibit it from biting any person for a period of ten (10) days, if a licensed veterinarian adjudges such confinement satisfactory. The Village Manager may permit such confinement to be reduced to a period of less than ten (10) days. At the end of the confinement period, the owned animal shall be examined by a licensed veterinarian.
- (2) Any person having knowledge that any person has been bitten by an owned animal shall notify the Village of Brookfield Police Department promptly. It is unlawful for the owner of the animal to euthanize, sell, give away, or otherwise dispose of any owned animal known to have bitten a person, until it is released by the Chief of Police of the Village or the Village Manager, or their authorized designee. It is unlawful for the owner of the animal to refuse or fail to comply with the reasonable written or printed instructions provided by the Chief of Police of the Village or the Village Manager, or their authorized designee. If such instructions cannot be delivered in person, they shall be mailed to the owner of the animal by regular mail. Any expense incurred in the handling of an animal under this Section shall be borne by the owner.
- (3) When a person has been bitten by a police dog that is currently vaccinated against rabies, the police dog may continue to perform its

duties for the peace officer or law enforcement agency, and any period of observation of the police dog may be under the supervision of a police officer. The supervision shall consist of the dog being locked in a kennel, performing its official duties in a police vehicle, or remaining under the constant supervision of its police handler.

Section 4. Amendment to Section 04-12.

Section 04-12 entitled, "Reserved," of Article I entitled, "In General," of Chapter 4 entitled, "Animals and Fowl," of the Code of Ordinances, Village of Brookfield, Illinois, shall be and is hereby amended as follows:

Sec. 04-12. Restrictions on Controlled Animals

- (1) No owned animal shall be permitted to enter any place where food is processed for human consumption. Guide animals for the blind or hearing impaired, support animals for the physically handicapped, and sentry, guard or police-owned animals are exempt from this restriction.
- (2) No owned animal shall be permitted to be present at or upon any school premises, public playground or public swimming pool unless permission has been obtained by the unit of local government owning such property. No owned animal shall be permitted in any sand box or sand pile which has been designated for children to play. Guide animals for the blind or hearing impaired, support animals for the physically handicapped, and sentry, guard or police-owned animals are exempt from these restrictions.

Section 5. Amendment to Section 04-13.

Section 04-13 entitled, "Reserved," of Article I entitled, "In General," of Chapter 4 entitled, "Animals and Fowl," of the Code of Ordinances, Village of Brookfield, Illinois, shall be and is hereby amended as follows:

Sec. 04-13. Animal Bites Prohibited

- (1) It shall be unlawful for the owner of any animal to knowingly, recklessly or negligently allow or permit any owned animal to engage in the conduct described in Subsections (a) through (d) herein, or to knowingly, recklessly or negligently fail to take reasonable precautions to prohibit any owned animal from engaging in the conduct described in Subsections (a) through (d) herein, provided that the owned animal engages in the

conduct described in Subsections (a) through (d) herein without justification:

- (a) Attacking, biting or otherwise injuring any person or any pet who is peacefully conducting him/herself in any place where he/she may lawfully be;
 - (b) Behaving in a manner that a reasonably prudent person would believe poses a serious and unjustified imminent threat of serious physical injury or death to any person or any pet;
 - (c) Threateningly or menacingly chasing a human being, a pet, a motor vehicle, a bicycle, a tricycle, a conveyance similar to a bicycle or tricycle, a stroller, or a conveyance similar to a stroller; or
 - (d) Damaging or destroying the real or personal property of a person who is not the owner of the animal.
- (2) For purposes of this Section, the term pet shall include any animal that is commonly considered to be, or is considered by the owner to be a pet. For purposes of this Section, the term pet shall include, but not be limited to, canines and felines.
- (3) The conduct of an owned animal shall be considered justified under this Section if:
 - (a) the offense was committed against a person who at the time was committing a crime or offense upon the owner or custodian of the animal, or was committing a willful trespass or other tort upon the premises or property occupied by the owner of the animal;
 - (b) the offense was committed against a person who was abusing, assaulting, or physically threatening the animal or its offspring;
 - (c) the offense was committed against any animal that is commonly considered to be, or is considered by the owner to be a pet who was attacking or threatening to attack the animal or its offspring; or
 - (d) the offense was committed because the animal was responding to pain or injury or was protecting itself, its owner, custodian, or a member of its household, kennel, or offspring.
- (4) Guide animals for the blind or hearing impaired, support animals for the physically handicapped, and sentry, guard or police-owned animals are exempt from the restrictions of this Section; provided the conduct or behavior prohibited by this Section occurs while the animal is performing

duties as expected. To qualify for exemption under this Section, each such animal shall be currently inoculated against rabies.

Section 6. Amendment to Section 04-14.

Section 04-14 entitled, "Reserved," of Article I entitled, "In General," of Chapter 4 entitled, "Animals and Fowl," of the Code of Ordinances, Village of Brookfield, Illinois, shall be and is hereby amended as follows:

Sec. 04-14. Penalties

The penalty for violation of this Article shall be not less than Twenty Dollars (\$20.00) nor more than Seven Hundred Fifty Dollars (\$750.00), and a separate offense shall be deemed committed on each day during or on which a violation of this Article continues. In addition to the foregoing penalties, the owner of the animal shall pay all expenses, including shelter, food, handling, veterinary care, and expert testimony fees necessitated by enforcement of this Article.

Section 7. Amendments to Sections 04-23 through 04-27.

Sections 04-23 through 04-27 of Article II entitled, "Dogs and Cats," of Chapter 4 entitled, "Animals and Fowl," of the Code of Ordinances, Village of Brookfield, Illinois, shall be and are hereby amended as follows:

Sec. 04-23. Definitions

For the purposes of this Article, except as otherwise indicated, the following definitions shall apply:

- (1) Animal Administrator: Any designee of the Chief of Police of the Village who may be assigned, from time to time, to perform duties related to animal control in the Village, including a veterinarian.
- (2) Vicious Dog: A dog that, without justification, attacks a person and causes serious physical injury or death, or any individual dog that has been found to be a "dangerous dog" upon three (3) separate occasions.
- (3) Dangerous Dog: (i) Any individual dog anywhere other than upon the property of the owner or custodian of the dog and unmuzzled, unleashed, or unattended by its owner or custodian that behaves in a manner that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or an animal

commonly considered to be, or considered by the owner to be a pet; or (ii) a dog that, without justification, bites a person and does not cause serious physical injury.

- (4) Enclosure: A fence or structure of six (6) feet in height, forming or causing an enclosure suitable to prevent the entry of young children, and suitable to confine a vicious dog in conjunction with other measures that may be taken by the owner or keeper, such as tethering of the vicious dog within the enclosure. The enclosure shall be securely enclosed and locked and designed to prevent the animal from escaping from the enclosure. If the enclosure is a room within a residence, it cannot have direct ingress from or egress to the outdoors unless it leads directly to an enclosed pen and the door must be locked. A vicious dog may be allowed to move about freely within the entire residence if it is muzzled at all times.

Sec. 04-24. Dogs Deemed Vicious

- (1) In order to have a dog declared "vicious," the Animal Administrator must give notice of the infraction that is the basis of the investigation to the owner, conduct a thorough investigation, interview any witnesses, including the owner, gather any existing medical records, veterinary medical records or behavioral evidence, and make a detailed report recommending a finding that the dog is a vicious dog and give the report to the States Attorney's Office and the owner. The Animal Administrator, State's Attorney, or any citizen of the county in which the dog exists may file a complaint in the circuit court in the name of the People of the State of Illinois to deem a dog to be a vicious dog. Testimony of a certified applied behaviorist, a board certified veterinary behaviorist, or another recognized expert may be relevant to the court's determination of whether the dog's behavior was justified. The petitioner must prove the dog is a vicious dog by clear and convincing evidence. The Animal Administrator shall determine where the animal shall be confined during the pendency of the case.
- (2) A dog may not be declared vicious if the circuit court determines the conduct of the dog was justified because:
 - (a) the threat, injury, or death was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog, or was committing a willful trespass or other tort upon the premises or property owned or occupied by the owner of the animal;
 - (b) the injured, threatened, or killed person was abusing, assaulting, or physically threatening the dog or its offspring, or has in the past

abused, assaulted, or physically threatened the dog or its offspring;
or

- (c) the dog was responding to pain or injury, or was protecting itself, its owner, custodian, or member of its household, kennel, or offspring.
- (3) If a dog is found to be a vicious dog, such dog shall at all times be kept in an enclosure. The dog shall be spayed or neutered within ten (10) days of said determination at the expense of its owner, and microchipped, if not already spayed, neutered or microchipped. It shall be unlawful for any person to keep or harbor a vicious dog on a porch or patio, or in any part of a house or building that would allow the dog to exit such structure on its own volition. The only times that a vicious dog may be allowed out of the enclosure are:
- (a) If it is necessary for the owner or keeper to obtain veterinary care for the vicious dog;
 - (b) In the case of an emergency or natural disaster where the dog's life is threatened; or
 - (c) To comply with the order of a court of competent jurisdiction, provided that said vicious dog is securely muzzled and restrained with a leash not exceeding six (6) feet in length, and shall be under the direct control and supervision of the owner or keeper of the dog, or muzzled in its residence.
- (4) In addition, the owner of a vicious dog must comply with the following conditions:
- (a) The owner, at his or her own expense, shall acquire a special license tag from the Village designating the animal as vicious, and shall post signage at the front and rear property lines of the premises on which said animal is kept, which signage reads as follows: "BEWARE OF VICIOUS DOG."
 - (b) The owner shall notify the Village within 24 hours if the dog is loose, unconfined, has attacked another animal, has attacked a human being, has been removed from the Village, or has died.
 - (c) The owner must provide proof that the dog has been neutered.
 - (d) The owner of a vicious dog shall present to the Village proof that the owner has procured liability insurance in the amount of at least one hundred thousand dollars (\$100,000.00), covering the twelve (12) month period during which licensing is sought. The insurance

policy shall contain a provision that the Village will be notified by the insurance company of any cancellation, termination or expiration of the policy.

- (e) The owner, at his or her expense, shall attend classes in dog obedience and care offered through any approved institution, park district or licensed trainer.
 - (f) The owner shall allow inspection by the Animal Administrator without prior notification, on a regular basis, but not more than three (3) times a year, of the premises in which the vicious animal is kept. The Animal Administrator shall determine whether or not the enclosure is secure, that facilities exist to adequately feed, house and maintain the animal, that the location of the enclosure is not likely to endanger the peace, quiet, health, safety or comfort of persons in the vicinity of the location, and that maintenance of the dog in the location has not resulted in or is not likely to result in the animal being subjected to neglect, suffering, cruelty or abuse.
- (5) Any dog that has been found to be a vicious dog and is not confined to an enclosure shall be impounded by the Animal Administrator.
 - (6) If the owner of the vicious dog has not appealed the impoundment order to the circuit court with fifteen (15) working days, the animal may be euthanized in accordance with the laws of the State of Illinois.
 - (7) Upon filing a notice of appeal, the order of euthanasia shall be automatically stayed pending the outcome of the appeal. The owner shall bear all costs associated with the impoundment, and the burden of timely notification to the Animal Administrator in writing.
 - (8) No owner or keeper of a vicious dog shall sell or give away any vicious dog without approval from the Animal Administrator or court.
 - (9) If the owner of a vicious dog is unwilling or unable to comply with the foregoing regulations, then the owner shall have the animal humanely euthanized by an animal shelter, animal control agency, or licensed veterinarian.

Sec. 04-25. Dangerous Dogs

- (1) The Animal Administrator or the Animal Administrator's designee may find a dog to be a dangerous dog after a thorough investigation including sending, within ten (10) business days of the Animal Administrator or the Animal Administrator's designee becoming aware of the alleged infraction, notifications to the owner of the dog that committed the alleged infractions,

of the initiation of an investigation, and affording the owner an opportunity to meet with the Animal Administrator or the Animal Administrator's designee prior to the making of a determination. The Animal Administrator or the Animal Administrator's designee shall gather any medical or veterinary evidence required; interview witnesses, and make a detailed written report regarding the determination of a dangerous dog. No dog shall be deemed a dangerous dog unless shown to be a dangerous dog by a preponderance of the evidence. The owner shall be sent immediate notification of the determination by registered or certified mail that includes a complete description of the appeal process.

- (2) A dog shall not be declared dangerous if the Animal Administrator or the Animal Administrator's designee determines the conduct of the dog was justified because:
 - (a) the threat was sustained by a person who at the time was committing a crime or offense upon the owner or custodian of the dog, or was committing a willful trespass or other tort upon the premises or property occupied by the owner of the animal;
 - (b) the threatened person was abusing, assaulting, or physically threatening the dog or its offspring;
 - (c) the injured, threatened or killed animal commonly considered to be, or considered by the owner to be a pet, was attacking or threatening to attack the dog or its offspring; or
 - (d) the dog was responding to pain or injury or was protecting itself, its owner, custodian, or a member of its household, kennel, or offspring.
- (3) If a dog is found to be a dangerous dog, the dog shall be spayed or neutered and microchipped within ten (10) days of such finding. The expenses associated therewith shall be borne by the owner. Furthermore, as deemed appropriate, the Animal Administrator or his designee may require one or more of the following:
 - (a) Evaluation of the dog by a board certified veterinary behaviorist or other recognized expert in the field, and completion of training, or other treatment as deemed appropriate by the expert. The owner of the dog shall be responsible for all costs associated with the evaluation and training ordered under this subsection.
 - (b) Direct supervision and leash control by an adult eighteen (18) years of age or older when the animal is on public or private property other than the property of the owner.

- (c) The application of a muzzle when the animal is on public or private property, other than the property of the owner, in a manner that will prevent it from biting any person or other animal.
- (4) The owner, at his/her own expense, shall acquire a special license tag from the Village designating the animal as dangerous, and shall post signage at the front and rear property lines of the premises on which said animal is kept, which signage reads as follows: "BEWARE OF DANGEROUS DOG."
- (5) It is unlawful for any person to knowingly, negligently or recklessly permit any dangerous dog to leave the premises of its owner when not under control by a leash or other recognized control methods.
- (6) The owner of a dog found to be a dangerous dog by the Animal Administrator or the Animal Administrator's designee may file a complaint against the Animal Administrator or Animal Administrator's designee in the circuit court within thirty (30) days of receipt of the notification of the determination.

Sec. 04-26. Exempted Dogs

Guide dogs for the blind or hearing impaired, support dogs for the physically handicapped, and sentry, guard or police-owned dogs are exempt from Sections 04-23 through 04-26 of this Article; provided an attack or injury to a person occurs while the dog is performing duties as expected. To qualify for exemption under this Section, each such dog shall be currently inoculated against rabies. In the case of a sentry or guard dog, the owner shall keep the Animal Administrator advised of the location where such dog will be stationed.

Sec. 04-27. Penalties

The penalty for violation of this Article shall be not less than Twenty Dollars (\$20.00) nor more than Seven Hundred Fifty Dollars (\$750.00), and a separate offense shall be deemed committed on each day during or on which a violation of this Article continues. In addition to the foregoing penalties, the owner of the animal shall pay all expenses, including shelter, food, handling, veterinary care, and expert testimony fees necessitated by enforcement of this Article.

Section 8. Severability.

If any section, subsection, subpart or provision of this Ordinance, or the application thereof to any person or circumstances, is held invalid, the remainder of the

provisions of this Ordinance and the application of such to other persons or circumstances shall not be affected thereby.

Section 9. Effective Date.

This Ordinance shall take effect ten (10) days from and after its passage, approval and publication in pamphlet form.

ADOPTED this 13th day of December 2010, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTENTION: _____

APPROVED by me this 13th day of December 2010.

Michael J. Garvey, President of the
Village of Brookfield, Cook County, Illinois

ATTESTED and filed in my office,
and published in pamphlet form
this 13th day of December 2010.

Brigid Weber, Clerk of the Village
of Brookfield, Cook County, Illinois



Editor [Darren McRoy](#): Heard some news you want us to check out? Let me know: darren@patch.com

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Chicks Arrive on Lawn Avenue in First Use of Poultry Ordinance

Wendy Vichick begins raising three chickens in what will serve as a test of how poultry can be kept in the Village.

By [Darren McRoy](#) [Email the author](#) July 1, 2011

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Tell Your Neighbors About Patch

It's impossible to miss the wordplay: there are three chicks at the Vichicks'.

That trio of baby chickens, Rosie, Annie and Albie, arrived at Wendy Vichick's home on Lawn Avenue in Old Town North this week, unaware of their weighty status as ambassadors for their species.

The feathery fuzzballs will be the first raised in Western Springs under a new poultry ordinance, and will serve as a "test case" for how residents may be allowed to keep their own coops in the future.

Vichick is a retired teacher whose small, neatly-kept backyard is encircled with an organic garden. She keeps solar panels on her roof and a rain barrel tucked away to the side. A 15-year Village resident and self-described "tree-hugger," Vichick describes the coming coop as an "extension of the garden."

"Fifty years ago, everybody had chickens," Vichick said. "Then as people got more affluent, they stopped, and then it was just the poor people, and so they still think [chicken owners] are going to be dirty or be like the lady with fifty cats."

"But that's changing, because for those of us who are in organic gardening, it has become like growing [our] own tomatoes. I know where my food comes from. When they have that big panic with all the eggs and salmonella, you don't have to worry about that."

The ordinance in question was [passed at a February voting meeting of the Board of Trustees](#) and was notable for an uncharacteristic bit of controversy and discussion that it generated. James Maragos, a trustee at the time, pulled the ordinance off of the Village's omnibus and even cast a sole dissenting vote against passage.

However, the ordinance as written is basically a moot point, as its measures are nearly impossible for most Western Springs residents to adhere to. The ordinance bans roosters, and mandates that hens must be kept in enclosures 200 square feet per fowl, and at least 75 feet from any neighbor's home. That kind of space barely exists in the largest Village yards, let alone Vichick's narrow one.

Thus, when the chicks are old enough to inhabit their outdoor coop in a month or so, Vichick will be applying for a variance from the restrictions of the ordinance, as Village staff are well aware.

As Director of Community Development Marty Scott explained, Vichick and her birds are serving as a test case to see if it is possible for a Villager to calmly keep a few birds in a small coop even in a tightly-packed neighborhood.

"We decided to allow Wendy to have the chickens based on a pilot program that would be revisited in six months to see if there would be any complaints or issues that arose," Scott said. "It's a good alternative to just saying no... Communities have gone both ways on it, outlawing it and allowing it."

Vichick's small coop will be tucked against the back of her westward-facing home to keep it safe from eastern winds. Her three chicks are each of a different species: a Rhode Island Red, a Speckled Sussex and a Buff Orpington, all hardy breeds capable of living (and laying eggs) through the winter.

She says her aims are not to push the system, but to have fun and educate others, like her own grandkids—and even other adults. "The teacher in me is coming out again, because most people I talk to about this say, 'don't you need a rooster to have eggs?'" she said. "[And] most kids think eggs just come from Dominick's."

When the hen trio reaches laying age (in about four months), they will each produce about an egg a day—enough for Vichick to share with friends, as well as use for her own baking.

And for those concerned about filth from the birds, she points out her own finely-manicured yard as proof that she will keep the coop clean. Noise? Less than an air conditioner, she says.

"This is a very conservative town, and people want everyone to have yards that look the same," she said. "So I know that's why they may have reservations about having the chickens. But I think once they learn about them, they won't have those reservations."

Scott says that while Vichick isn't alone in her enthusiasm for a coop, there shouldn't be one in every backyard anytime soon.

"It's hard to gauge the interest in it," he said. We've had a few other calls from people interested in it, but for now we're saying it's just this one test case."

And despite all the benefits—eggs, education, a lasting change to Village policy—Vichick says that she's mostly doing this for fun, and to add a few new faces to her home.

"I think they do become kind of pets," she said. "They have an egg-laying life of five or six years, and after that they'll become pets."

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[Ben](#) [Flag as inappropriate](#)

7:40am on Friday, July 1, 2011

that's cool! this has been going on among urban hipsters for some time. glad to have the birds here in the springs.

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[Matthew Hendrickson](#)

9:21am on Friday, July 1, 2011

Second that. Fresh, unbleached eggs are great and it's always nice to know where they came from!

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[Shanan](#)

12:16pm on Friday, July 1, 2011

Would love a follow up article regarding how the chicken coop is doing and how much work it is to maintain the chickens. Love that someone in town is giving it a whirl! Shanan

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[Mouse](#)

12:57pm on Friday, July 1, 2011

Ya know...the Village gets all bent out of shape about a few chickens but does absolutely nothing with people who turn their dogs out into the backyard at 7 AM and let them bark nonstop for hours. I love dogs but that is outrageous neglect. I am sure the chicken ranchers among us will pay much more attention to their fowl than some dog owners do their dogs.

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[cuban pete](#)

7:46pm on Friday, July 1, 2011

Mouse

Call the Western Springs PD. I had a nearby hound yelping at all hours. I think the owners would go away and leave the dog outside to entertain the neighbors.

In any event, I called the PD and very competent officer arrived and resolved the problem immediately. I haven't heard from "Ole Yeller" since.

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Chickens pass muster in Evanston

City Council approves ordinance allowing hens in backyards

September 29, 2010 | By Jonathan Bullington, Tribune reporter

Evanston's flock of would-be chicken owners can feel a little less henpecked now that officials have ended a 36-year ban on raising chickens within city limits.

"The environment won out over fear," said Ellen King, a member of a group called Evanston Backyard [Chickens](#).

King's 75-member organization has worked for a year lobbying officials to allow residents to raise hens — roosters aren't permitted — in their backyards as pets and for [food](#). The payoff came Monday night when the City Council voted 6-3 to allow chickens.

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Supporters herald backyard hens as a [healthy](#) alternative to "factory farm" chickens and eggs, which they say are more likely to be the cause of outbreaks of salmonella and other diseases.

They also tout other benefits of chickens — all that quality fertilizer for gardens, for example.

Oak Park, Northbrook, Hoffman Estates and Arlington Heights have similar ordinances that allow backyard hens. So does Chicago.

"These animals will have to be within our ordinance, which is very specific," Ald. Mark Tendam, 6th, said. "To say they're going to smell bad or make noise is just not reasonable, because I think they'll be so well-provided for. No one really wants to risk losing them."

Comparing hen ownership with a "fad," Ald. Judy Fiske, 1st, questioned whether people realize the potential health and nuisance impact.

"In the end, I would like you to think that this is an unnecessary ordinance," she said, adding that organic eggs and chicken [meat](#) can be purchased at local groceries.

Opponents also said chickens would attract rodents and predators such as raccoons and opossums, and would create unwanted smells and noises.

"People are afraid of change," King said. "After the first year, residents won't be concerned."

During the discussions, chicken supporters provided aldermen with a February 2010 DePaul University survey.

Students interviewed officials in more than 20 municipalities across the country that have similar laws, and found that most were "satisfied with their ordinances."

Major complaints and infractions were rare, the survey found.

"I think this is a small step for chickens and a big step for sustainability and green life in Evanston," said Aharon Solomon, a member of Evanston Backyard Chickens.

A chicken can cost \$10; a prefabricated coop can run up to \$500.

The ordinance sets guidelines for proper coop construction and maintenance. Hen owners also will have to notify their adjacent neighbors before receiving a license, but they won't need their approval before acquiring hens — a requirement that was in one of the ordinance's earlier drafts.

"I'm sure there are neighbors who would have legitimate concerns, and that's why I think the notice component is important," Ald. Donald Wilson, 4th, said. "But I wouldn't want someone ... held hostage by a neighbor or extorted in some way."

Hen owners will have to pay a \$50 licensing fee. No more than 20 coop licenses will be issued in the first year, officials said.

"If there's a problem we should be acting before that first year is out to change the way we're doing this," Wilson said.

jbullington@tribune.com

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23-0-10

AN ORDINANCE

Amending Various Sections of Title 9, "Public Safety,"
Chapter 4, "Dogs, Cats, Animals, and Fowl,"
of the City Code of the City of Evanston and other
Related Sections of the City Code

WHEREAS, Title 9, Chapter 4, Section 5 bans the keeping of all poultry
including hens within City limits; and

WHEREAS, The City has the power to amend its Ordinances; and

WHEREAS, It is the will of the People of the City of Evanston and the City
Council to allow for the keeping of hens within the City limits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That Title 9, "Public Safety," Chapter 4, "Dogs, Cats,
Animals, and Fowl," Section 5, "Certain Animals Prohibited" of the Evanston City Code
of 1979, as amended, is hereby further amended to read as follows:

9-4-5: CERTAIN ANIMALS PROHIBITED:

A. It shall be unlawful, and is hereby declared a nuisance for any person to keep
or allow to be kept any animal of the species of horse, mule, swine, sheep, goat, cattle,
poultry (with the exception of hens as herein provided), skunks, or poisonous reptiles
within the corporation limits of the City of Evanston.

B. Hens shall mean the female of the species *Gallus Gallus Oomesticas*.

C. It shall be unlawful to keep roosters within City limits.

1. The number of hens allowed shall be no less than two (2), and no more
than six (6).

2. Any structures housing hens shall be termed an "Accessory Structure" as
defined in Title 6, Chapter 18, Section 3 of the Evanston City Code, and shall abide by

9/27/10

9/21/10

8/9/10

8/2/10

all requirements set forth in Title 6, Chapter 4, Section 6-2, "General Provisions for Accessory Uses and Structures," and Title 5, Chapter 1, "Property Maintenance Code" of the Evanston City Code.

3. Applicants shall register with the Illinois Department of Agriculture Livestock Premises Registration, and must have proof of registration on site.

4. Care for hens shall follow the provisions set forth in this Chapter.

5. Hens shall be kept in such a way so as not to cause a nuisance as defined in Title 1, Chapter 3, Section 2, and enumerated in Title 8, Chapter 4, Section 1 of the Evanston City Code and shall be kept in conformance with the following requirements:

a. Hen yards and coops shall be constructed and maintained to reasonably prevent the collection of standing water; and shall be cleaned of hen droppings, uneaten or discarded feed, feathers, and other waste with such frequency as is necessary to ensure the hen yard and coop do not become nuisances as defined in Title 8, Chapter 4, Section 1 of the Evanston City Code.

b. Hens shall be kept in an enclosure which shall be maintained in such a manner so as to protect the hens from predators and trespassers.

c. Hen coops shall be built and kept in such a manner so as to allow for easy ingress and egress for the hens and shall offer protection from weather elements including cold temperatures.

d. Hen coops and yards shall be large enough to provide at least four (4) feet per hen.

6. Licenses for coops must be obtained and shall meet the rules of this Chapter where applicable.

a. Prior to a license being granted to an applicant, the applicant must show proof of notice to all adjacent landowners except landowners that are municipalities or utilities.

b. A license shall not be granted unless the applicant has obtained all necessary building permits and can show proof that a hen yard and coop that comply with this section have been erected.

c. Coop licenses shall not run with the land.

d. Applications shall be submitted to the City of Evanston Public Health Director who shall have the authority to enforce this ordinance.

9/27/10
9/21/10
8/9/10
8/2/10

e. An applicant who lives in an apartment or condominium building is not eligible to receive a coop license.

f. No more than twenty (20) valid coop licenses shall be active within the City of Evanston at any given time for the first calendar year that this ordinance is in effect.

7. No person shall slaughter any hen, or any other animal, within City limits. Nothing in this ordinance is to be interpreted as prohibiting any licensed establishment from slaughtering for food purposes any animals which are specifically raised for food purposes.

8. Any person found to be in violation of this Ordinance shall be fined not less than \$50.00 nor more than \$750.00 for each offense. In the event that an owner is adjudged to have three (3) violations of this Ordinance, the owner's coop license shall be revoked. Each day an owner is not compliant with this ordinance shall constitute a separate offense.

SECTION 2: That Title 9, "Public Safety, Chapter 4, "Dogs, Cats, Animals, and Fowl," Section 4, "Certain Animals Prohibited" of the Evanston City Code of 1979, as amended, is hereby further amended to read as follows:

9-4-4: LICENSE FEES:

(A) General: Upon furnishing of the information required by section 9-4-3-4 of this chapter and a showing by any applicant for a license that he or she is prepared to comply with the regulations promulgated by the finance director, a license shall be issued following the payment of the applicable fee as follows:

Hen coop fee	\$50.00
Neutered dogs and cats	\$10.00
Dangerous dogs	\$100.00
All other cats and non-dangerous dogs	\$15.00
Each kennel or pet shop, covering all animals kept during the year	\$60.00
Any zoological garden or animal act, covering all animals kept	\$120.00

9/27/10
9/21/10
8/9/10
8/2/10

No fee shall be required of any humane society, veterinary hospital, or municipal animal control facility.

SECTION 3: That Title 6, "Zoning", Chapter 4, "General Provisions for Accessory Uses and Structures" Section 6-2 of the Evanston City Code of 1979 is hereby further amended to read as follows:

6-4-6-2: GENERAL PROVISIONS FOR ACCESSORY USES AND STRUCTURES

(B) Accessory uses shall be compatible with the principal use. Accessory uses shall not include a kennel or an accessory building for the keeping or the propagation of livestock. (However, dog runs and hen coops shall be permitted as accessory uses.)

SECTION 4: That Title 6 "Zoning", Chapter 4, "Allowable Accessory Uses and Structures (Detached from Principal Structure)", Section 6-3 of the Evanston City Code of 1979 is hereby further amended to read as follows:

6-4-6-3: ALLOWABLE ACCESSORY USES AND STRUCTURES (DETACHED FROM PRINCIPAL STRUCTURE)

(B) Table 4-A - Permitted Accessory Buildings, Structures And Uses:

Table 4-A includes yard obstructions (see subsection 6-4-1-9(B) of this chapter) attached to the principal or a secondary structure as well as freestanding accessory buildings, structures, and uses.

25. Sheds and storage structures for garden equipment (sheds for propagation or keeping of birds, poultry (except hens), or livestock are prohibited)

SECTION 5: That Title 8 "Health and Sanitation", Chapter 4 "Nuisances", Section 1 of the Evanston City Code of 1979 is hereby further amended to read as follows:

8-4-1: ENUMERATION OF PARTICULAR NUISANCES

(F)Animals And Fowl:

9/27/10

9/21/10

8/9/10

8/2/10

1. Keeping Chicken or Hen Coops, Stables, Privies In Filthy Condition: To keep, or suffer to be kept, in a foul, offensive, nauseous or filthy condition any chicken or hen coop, cow house, stable, cellar, vault, drain, pool, privy, sewer or sink, upon any premises belonging to or occupied by any person or any railroad car, building, yard, grounds and premises belonging to or occupied by said person.

SECTION 6: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: That this Ordinance 23-0-10 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.


Introduced: August 1, 2010

Adopted: September 1, 2010

Approved:

Elizabeth B. Tisdahl, 2010

Attest:


Rodney Greene, City Clerk


Elizabeth B. Tisdahl, Mayor

Approved as to form:


W. Grant Farrar, Corporation Counsel



American Planning Association

Making Great Communities Happen

Policy Guide on Community and Regional Food Planning

Adopted by the Legislative and Policy Committee, April 13, 2007

Adopted by the Chapter Delegate Assembly, April 14, 2007

Adopted by the Board of Directors, April 15, 2007

Final Policy Guide, May 11, 2007

Introduction

Food is a sustaining and enduring necessity. Yet among the basic essentials for life — air, water, shelter, and food — only food has been absent over the years as a focus of serious professional planning interest. This is a puzzling omission because, as a discipline, planning marks its distinctiveness by being comprehensive in scope and attentive to the temporal dimensions and spatial interconnections among important facets of community life.

Several reasons explain why planners have paid less attention to food issues when compared with long-standing planning topics such as economic development, transportation, the environment, and housing. Among these reasons are:

1. a view that the food system — representing the flow of products from production, through processing, distribution, consumption, and the management of wastes, and associated processes — only indirectly touches on the built environment, a principal focus of planning's interest;
2. a sense that the food system isn't broken, so why fix it; and,
3. a perception that the food system meets neither of two important conditions under which planners act — i.e., dealing with public goods like air and water; and planning for services and facilities in which the private sector is unwilling to invest, such as public transit, sewers, highways, and parks.

Yet, over the last few years, interest in food system issues is clearly on the rise in the planning community. In 2005 at the APA National Planning Conference in San Francisco, a special track of sessions on food planning subjects was held for the first time in APA's history. An unexpectedly high number of 80 planners responded to the call for papers for this track. In 2006, a follow-up track of sessions took place at the San Antonio APA conference. Special journal issues devoted entirely to food planning have included the *Journal of Planning Education and Research* (Summer 2004) and *Progressive Planning* (Winter 2004). Courses on community food planning are being offered for the first time by several graduate planning programs. Another sign of progress was a white paper on food planning prepared in late 2005 and presented to the Delegates Assembly at the 2006 APA conference. Approved subsequently by the APA Legislative and Policy Committee, the white paper became the impetus for preparing this Policy Guide, which provides a vision and suggests ways for planners to become engaged in community and regional food planning.

The following are a few converging factors that explain the heightened awareness among planners that the food system is indeed significant:

- Recognition that food system activities take up a significant amount of urban and regional land

- Awareness that planners can play a role to help reduce the rising incidence of hunger on the one hand, and obesity on the other
- Understanding that the food system represents an important part of community and regional economies
- Awareness that the food Americans eat takes a considerable amount of fossil fuel energy to produce, process, transport, and dispose of
- Understanding that farmland in metropolitan areas, and therefore the capacity to produce food for local and regional markets, is being lost at a strong pace
- Understanding that pollution of ground and surface water, caused by the overuse of chemical fertilizers and pesticides in agriculture adversely affects drinking water supplies
- Awareness that access to healthy foods in low-income areas is an increasing problem for which urban agriculture can offer an important solution
- Recognition that many benefits emerge from stronger community and regional food systems

Current planning activities already affect the food system and its links with communities and regions. For example, land use planners may use growth management strategies to preserve farm and ranch land, or recommend commercial districts where restaurants and grocery stores are located, or suggest policies to encourage community gardens and other ways of growing food in communities. Economic development planners may support the revitalization of main streets with traditional mom-and-pop grocery stores, or devise strategies to attract food processing plants to industrial zones. Transportation planners may create transit routes connecting low-income neighborhoods with supermarkets, and environmental planners may provide guidance to farmers to avoid adverse impacts on lakes and rivers. This policy guide seeks to strengthen connections between traditional planning and the emerging field of community and regional food planning. As such, two overarching goals are offered for planners:

1. Help build stronger, sustainable, and more self-reliant community and regional food systems, and,
2. Suggest ways the industrial food system may interact with communities and regions to enhance benefits such as economic vitality, public health, ecological sustainability, social equity, and cultural diversity.

This Policy Guide on community and regional food planning presents seven general policies, each divided into several specific policies. For each specific policy, a number of roles planners can play are suggested. The seven general policies are:

1. Support comprehensive food planning process at the community and regional levels;
2. Support strengthening the local and regional economy by promoting local and regional food systems;
3. Support food systems that improve the health of the region's residents;
4. Support food systems that are ecologically sustainable;
5. Support food systems that are equitable and just;
6. Support food systems that preserve and sustain diverse traditional food cultures of Native American and other ethnic minority communities;
7. Support the development of state and federal legislation to facilitate community and regional food planning discussed in general policies #1 through #6.

Findings

How planning operates to balance the need for an efficient food system with the goals of economic vitality, public health, ecological sustainability, social equity, and cultural diversity will present a formidable challenge to planners who engage in community and regional food planning, and in

planning for various community sectors such as transportation, economic development and the environment. This section covers salient facts and trends about how the food system impacts localities and regions and provides some examples of progress being made by planners.

1. General Effects of the Food System on Local and Regional Areas

Today's industrial food system is a product of significant scientific and institutional advances over the previous centuries, and generally provides an abundant and safe supply of food to most people in the country. It has paralleled developments in mass production and economies of scale in other industries and is characterized by the use of significant amounts of synthetic fertilizers and pesticides, and new shipping technologies. It contributes nearly \$1 trillion to the national economy — or more than 13 percent of the GNP — and employs 17 percent of the labor force (American Farmland Trust, 2003). Food sector jobs represent close to 15 percent of the total workforce of many communities, while retail sales from food outlets such as grocery stores and eating and drinking places can be as much as a fifth of a community's total retail sales (Pothukuchi and Kaufman, 1999).

However, the food system is not without problems for communities and regions. A clear trend in all parts of the food system is greater concentration of ownership, which means that decisions affecting communities are increasingly made by absentee business owners. For example, in 2000, the top five food retailers accounted for 43 percent of sales, up from 24 percent in 1997 (Hendrickson et al., 2001). Mergers of chain supermarkets often result in the closure of stores, thereby reducing residents' access to healthy food, and lowered tax base and employment. Another trend, vertical integration, leads to increased consolidation of different activities such as food production, processing, and distribution under the control of single entities.

Today's food system has also contributed to the increased incidence of obesity and diet-related disease; loss and erosion of diverse culinary traditions represented by First Nations and immigrant cultures; and ecological crises including extinction of species, declining aquifers, and deforestation. Government policies sometimes exacerbate these trends due to the increasing political influence of food industry giants.

While there is little doubt that the industrial food system will remain dominant, more communities and regions are acting to resolve some of these problems by developing alternative, local, and sustainable food systems. This Policy Guide offers suggestions for planners to engage in planning that both strengthens community and regional food systems and encourages the industrial food system to provide multiple benefits to local areas.

Specific trends related to the food system's impacts on localities and regions, and examples of positive actions are described below.

- **Loss of Farmland.** Although agriculture is America's dominant land use, with nearly 1 billion acres of land in agricultural use, farmland in metropolitan areas is disappearing at a rapid pace. "Urban-influenced" counties account for more than half (56 percent) the total U.S. farm production, 63 percent of dairy production, and 86 percent of fruit and vegetable production; yet these counties have annual population growth rates more than twice the national average. This rapid growth threatens our capacity to obtain fresh and local food. (American Farmland Trust, 2002).
- **Aging of Farmers.** One fourth of U.S. farmers and half of farm landlords are at least 65 years old; by comparison, about 3 percent of the U.S. labor force falls in this age group (Gale, 2002). Farmers and landlords aged 65 and over own a combined one-third of farm assets. The aging of farmers reflects the weakening of "family farm" institutions, including intergenerational transfer of farm assets. Consequences with implications for planning include the speeding up of the conversion of agricultural land and the consolidation of agricultural land into larger operations.
- **Protecting Agriculture.** Across the country communities are preparing plans to protect agriculture. A countywide plan in Marin County, California, identifies several policies to overcome challenges facing local agriculture and farmers. These include policies to protect

agricultural land from sprawl, protect productive agricultural soils, support sustainable water supplies, and enhance agricultural viability.

- **Farm Bill and Local Areas.** All Titles of the Farm Bill, including nutrition programs, commodity programs, trade, conservation, and rural development, have implications for urban and rural communities and therefore for local planning. For example, as Dallas County, Iowa, urbanizes, its county soil and water conservation district and the Natural Resources Conservation Service of the USDA now work with developers to employ land conservation measures and keep soil on construction sites (USDA Natural Resources Conservation Service, no date).

2. Food System Links with the Economy

- **Globalization of the Food System.** Increasingly, food comes from more distant sources, with serious consequences such as the loss of older local food system infrastructure, and threats to the survival of many U.S. farms. Although the U.S. rightfully prides itself as the breadbasket of the world, in 2006 for the first time, the value of food imported into the U.S. exceeded the value of food exported from the U.S. (USDA Foreign Agricultural Service, 2006). Globalization also leads to greater consumer ignorance about the sources of food. As people know less and less of where their food comes from, how it is produced and with what impacts on communities and the environment, preservation of land and the natural and built resources upon which local agriculture depends becomes more difficult.
- **Rural Decline.** Farms between 50-500 acres and 500-1,000 acres, the largest share of "working farms" and those that fall between local and commodity markets, decreased by about 7 and 11 percent respectively between 1997 and 2002, while those over 2,000 acres have gone up nearly 5 percent. This loss of "the middle" in farming threatens rural communities by making them more economically insecure and changes land stewardship practices handed down over generations. (Kirschenmann et al., no date).
- **Economic Impacts of Local Purchasing.** Robert Waldrop, a 2006 candidate for mayor of Oklahoma City, highlights the under-appreciated economic development possibilities of buying food directly from area farmers. Using USDA data and analyses, he identifies \$2.1 billion in economic activity in Central Oklahoma if Oklahoma County residents bought their eggs, poultry, meat, vegetables, flour, and milk and dairy products directly from farmers in the region.
- **A Local Food Purchasing Policy.** In 2006, the Woodbury County (Iowa) Board of Supervisors adopted a "Local Food Purchase Policy," mandating the purchase of locally grown organic food for department events at which food is served. This action has the potential of providing \$281,000 in annual food purchases to a local farmer-owned cooperative.

3. Food System Links with Health

- **Farm Policy and Health.** Federal farm policy since the 1950s has encouraged the overproduction (and therefore the driving down of prices) of a few commodities such as corn and soybeans, all with serious implications for farmers, rural and urban communities, and the health of consumers. Support for fruits and vegetables, on the other hand, has been low (Nestle, 2002). Low commodity prices have led to the heavy use by the food industry of products such as high fructose corn syrup and hydrogenated vegetable oils, which are linked with obesity and related illnesses. Processed grocery foods, frozen foods and baked goods represented over 40 percent of supermarket sales in 2000, while produce claimed only 9 percent (Schoonover and Muller, 2006).
- **Obesity.** Obesity and associated costs are a significant concern nationwide. While over 60 percent of Americans are overweight or obese, the effects of obesity are not borne equally across race and socio-economic strata, or even states and localities, thereby generating unequal burden. Similarly, many diet related diseases, such as heart disease, certain cancers, and diabetes are found to be more prevalent among minority populations. In 2000, nearly 16 percent of children and adolescents, ages 6 to 19, were classified as obese (Centers for Disease Control and Prevention, 2002.).
- **Obesity and the Built Environment.** Land use and transportation policies have been implicated in the rise of obesity through both, increased food consumption and reduced

physical activity. Research suggests lower rates of obesity and overweight in neighborhoods where supermarkets offering more healthful food choices are present (Morland et al., 2006). This access is not even however: low income and minority areas contain fewer supermarkets on average; these areas also tend to have a higher density of convenience stores offering fewer healthful choices and higher prices, and fast food outlets (Morland et al., 2002). Because these communities experience lower vehicle ownership rates, problems of access are exacerbated.

4. Food System Links with Ecological Systems

- **Energy Consumption in the Food System.** At roughly eight calories of energy to produce one typical food calorie, today's food system is both energy-intensive and inefficient. The average food item travels at least 1500 miles. According to Thomas Starrs (2005), growing, processing and delivering the food consumed by a family of four each year requires more than 930 gallons of gasoline or about the same amount used to fuel the family's cars.
- **Water Issues in Agriculture.** Sedimentation and chemical pollutants resulting from agricultural practices continue to pose serious problems for fisheries, other wildlife, water-based recreation, and household water use. The Dead Zone in the Gulf of Mexico is one of the largest such examples of depletion of oxygen caused largely by farm runoffs. In 2005, it covered nearly 5,000 acres (National Aeronautics and Space Administration, 2004). In addition, U.S. agriculture is an especially prolific consumer of surface and ground water. For example, 38 percent of irrigation water in California and 66 percent in Texas are pumped from ground water (Pimental et al., 1997).
- **Concentrated Animal Feeding Operations (CAFOs).** CAFOs are agricultural facilities that house and feed a large number of animals in a confined area for 45 days or more during any 12 month period. In 2003, CAFOs, a small percentage of the nation's 238,000 feeding operations, produced more than half the 500 million tons of manure, according to the U.S. Environmental Protection Agency (Centers for Disease Control and Prevention, no date). Health threats from such operations include chronic and acute respiratory illnesses, injuries, infections, and nuisances such as flies, and odor (Bowman et al., 2000). CAFOs are also implicated in spreading stronger strains of E. coli bacteria and environmental problems such as ground water contamination. An emerging and promising method to reduce odors and generate renewable energy from livestock manure in CAFOs is anaerobic digestion (Wilkie, 2005).
- **Loss of Biodiversity.** Across the country, native vegetation (forests, prairie, wetlands) which provides wildlife habitat and performs valuable ecosystem services such as flood control has been depleted or seriously threatened. In Illinois, for example, over 90 percent of all natural wetlands have been lost, the majority to agricultural production. According to noted ecologist Gary Nabhan, the U.S. has lost over 60 percent of all the heirloom crop varieties that were here at the time of Columbus's arrival to the New World; the other 40 percent remains below the radar of the food industry (Mangan, 2006).
- **Fisheries.** In fisheries across North America, the needs of consumers and the long-term sustainability of fishery populations have fallen out of balance due to over-fishing or habitat loss or degradation. Fish populations of haddock, Atlantic cod, red snapper, Pacific herring, Pacific halibut, salmon, and king crab have seen significant declines (American Fisheries Society, no date).
- **Food system wastes.** Wastes at each point of the food system use up local landfill capacity, or if incinerated, increase air pollution. One study showed that nearly 30 percent of all solid wastes are related to food consumption, with half of that being food packaging (University of Wisconsin Department of Urban and Regional Planning, 1997). Natural organic wastes may be a valuable input for agriculture if they can be separated from the waste stream. Such wastes can be fed to hogs, composted and reapplied to the land, or converted into renewable energy through anaerobic digesters.

5. Food System and Social Equity

- **Hunger and food insecurity.** Hunger and food insecurity are prevalent in the United States. The U.S. Department of Agriculture's Economic Research Service (2006) reports

that in 2005, 11 percent of all U.S. households were "food insecure" because of a lack of sufficient food. Black (22.4 percent) and Hispanic (17.9 percent) households experienced food insecurity at far higher rates than the national average.

- **Emergency food assistance.** In 2003-04, requests for emergency food assistance increased by about 14 percent in the 27 cities surveyed by the U.S. Conference of Mayors (2004). About 20 percent of the demand for food went unmet. Fifty-six percent of those requesting assistance represented families with children; 34 percent of adults requesting assistance were employed.
- **Food Stamps.** In 2003, 21.2 million individuals participated in the Food Stamp Program; however, this represented only 60 percent of people eligible to receive Food Stamp benefits. The average monthly food stamp benefit was \$83.77 per person (Food Research and Action Center, no date).
- **Supermarket initiative.** Research documents lower availability of grocery supermarkets in low-income areas. In Rochester, NY, planners worked with neighborhood groups to bring a Tops Supermarket to the Upper Falls area, a neighborhood that had long gone without a grocery store. As a result of their negotiations, Tops agreed to renovate three other stores in the city, thereby increasing access to a variety of affordable and healthful food choices (Pothukuchi, 2005).
- **Vacant urban land for growing food.** Inner cities have significant amounts of vacant land that, when used for vegetable gardening by low-income residents, produce multiple health, social, and economic benefits. For example, Detroit has over 60,000 publicly owned vacant parcels, and a vibrant urban agriculture movement that can make productive use of this land, if made available by public agencies that control it (Kaufman and Bailkey, 2000). The Diggable City, a Portland State University graduate planning workshop project prepared for the City of Portland, Oregon, produced a land inventory containing specific sites of publicly owned properties to assess opportunities to expand community gardens and other forms of urban agriculture. This project has educated the community on the significance of urban land as a resource for food production and food security in the inner city (Portland State University, 2005).
- **Immigrants as food sector workers.** The food system's least desirable jobs are worked by immigrants in vegetable harvests, industrial slaughterhouses, and food processing plants. According to the U.S. Farm Bureau, immigrant labor may add up to \$9 billion to the nation's \$200 billion annual agricultural output (Keller, 2006). It is estimated that of the more than 4 million agricultural workers in the U.S., at least two-thirds are immigrants, 80 percent of whom are from Mexico. Because many are undocumented, they typically receive below-minimum wages, experience substandard living conditions, and make up a large portion of the food insecure.

6. Native/Ethnic Food Cultures

- **Food issues faced by Native American communities.** Native American communities are hit particularly hard by the loss of or threats to ecologies, habitats, and native food ways that included subsistence agriculture, hunting, fishing, and gathering. As Native Americans were pushed into the dominant food system, the incidence of diet-related disease rose rapidly. Diabetes-related mortality among American Indians is over twice that of the general U.S. population (231 percent). In addition, nearly one-fourth of Native American households are food insecure because of inadequate resources with which to meet daily food needs, with one out of 12 individuals so food insecure as to be classified as hungry (Bell-Sheetter 2004).
- **Native Food Planning.** The Oneida Community Integrated Food Systems, established in 1994, started with a task force to address concerns related to poverty and health on the Oneida reservation. Through their assessment of food-related needs and assets, they developed actions to support goals related to increasing employment for Native Americans; educating community members about healthy foods and diets; and producing meats, fruits, and vegetables for both, food security and increased profits.
- **Ethnic Cuisines.** Although Mexican, Italian, and Cantonese-Chinese cuisines are the most sought after dining-out ethnic choices, newer cuisines are gaining a foothold. According to an "Ethnic Cuisines" survey by the National Restaurant Association, Hunan, Mandarin and Szechwan variations of Chinese cuisines, German, French, Greek, Cajun/Creole, Japanese

(including sushi), Asian Indian, Soul Food, Scandinavian, Caribbean and Spanish cuisines have been tried by more than 70 percent of the diners. Between 1981 and 1996, consumer awareness of Asian Indian cuisine jumped 74 percent (National Restaurant Association, 2000).

- **Locally Sourced Ethnic Foods.** Ethnic foods are part of the \$25 billion specialty food industry, whose sales jumped 16 percent between 2002 and 2004. Farmers across the country are finding profit in this trend. For example, some Pennsylvania and Maryland farmers are growing n'goyo and gboma — West African vegetables — Thai eggplants, Jamaican Callalou, and Halal lamb products desired by Muslim residents (Paley, 2005).

7. Comprehensive Food Planning and Policy

- **Food Policy Councils.** Over 35 local and state food policy councils have been established in North America in the past 10 years. Broadly representative of groups in the local and regional food system, and affiliated with either city, county, or state governments, these institutions work to strengthen local and regional food systems, among other goals.
- **Community-based Food Projects.** USDA's Community Food Projects Competitive Grants Program, now in its 10th year, is an important source of funding for food projects that serve low income communities. Currently authorized at the level of \$5 million a year, the program has been expanded to encourage more comprehensive food planning. A Farm to Cafeteria legislation was recently enacted but no money was appropriated to implement it. Programs related to the Farmers Market Nutrition Program (Farmers Market WIC) and the Senior Farmers Market Nutrition Program are also important to local communities.

General and Specific Policies

The American Planning Association, its chapters and divisions, and planners in general can use their professional knowledge, skills, and relationships to develop community and regional food planning, and advocate for state and federal policies to support it.

The seven general policies below, accompanied by specific policies and planner roles, suggest concrete ways in which food issues may be woven into current planning activities, and more systematic, comprehensive community and regional food planning may be undertaken.

This Policy Guide links to several Policy Guides previously adopted by the APA, among them sustainability, smart growth, energy, water resources management, solid and hazardous waste management, housing, and farmland preservation. In some of these Policy Guides, elements of the food system are specifically recognized. In others, even though not mentioned, they have a place.

Some common planning themes thread through all policies and are therefore not identified separately under each general policy (unless they are especially crucial):

1. The importance of community participation in all aspects of planning;
2. The usefulness to all general policies of common planning activities in research, plan-making, plan-implementation, conflict resolution, and consensus building;
3. Recognition that all planning occurs in a political context and that political support may be garnered more easily for some issues than others;
4. The existence of tensions between and among general policies, which will require dialogue among stakeholders in particular communities and regions to resolve.

General Policy #1

The American Planning Association, its Chapters and Divisions, and planners support a comprehensive food planning process at the community and regional levels.

Specific Policy #1A. Planners support the creation of local and regional food planning mechanisms that integrate major local planning functions (such as land use, economic development, transportation, environment, parks and recreation, public safety, health and human services, and agricultural preservation).

Reason to support

Multiple and complex links exist among food system activities and between food and planning activities such as land use, transportation, and economic development planning. Community concerns about health, economic development, ecological sustainability, social equity, and cultural diversity are also intricately linked to food system issues and to each other. Achieving community-food objectives will require collaborations between groups representing diverse interests such as anti-hunger, nutrition, farming, and environmental issues; span separate government agencies; and include multiple levels of government in dialogues.

Planners could play the following roles:

1. Advocate for, and build support in communities and regions for a more comprehensive approach to food planning, such as through local and/or regional food policy councils or coalitions.
2. Undertake periodic assessments of community/regional food issues, including broad community participation, and develop recommendations for actions.
3. Integrate recommendations emerging from community and regional food planning into comprehensive plans and supporting ordinances, strategic plans, economic development plans, environmental plans, neighborhood or area plans, and plans for specific agencies such as transportation and parks and recreation.
4. Assist nonprofit agencies and public-private-nonprofit partnerships engaged in anti-hunger, nutrition, and agriculture activities by sharing data for planning, implementing, and evaluating programs.

Specific Policy #1B. Planners support the development of plans for building local food reserves and related activities to prepare for emergencies.

Reason to support

Because of the important roles planners play in recommending proposals for the future of their communities, they have the skills and knowledge to also contribute to planning for emergencies and crises — natural or man-made. Due to recent concerns of homeland security and natural disasters such as Hurricane Katrina, and potential threats associated with bioterrorism, climate change, disruptions in transportation systems, and pandemics such as the avian flu, communities around the country are undertaking emergency preparedness plans to protect the health of community residents, meet basic needs, and prepare for post-emergency operations. Maintaining food security at household, community, and regional levels during the crisis and recovering food systems in a sustainable manner soon thereafter are central goals of such preparedness.

Planners could play the following roles:

1. Assist in assessing the community and region's potential food needs during emergencies of different kinds (such as a major earthquake, hurricane, terrorist attack, or the spread of contagious disease) and the capacity of current food sources and distribution systems in the community and region.
2. Partner with appropriate public agency and private stakeholder groups to develop appropriate plans to build sufficient local and regional food reserves for emergencies, including related communications, logistics, and transportation infrastructure, and to restore food system integrity and operation after the emergency.
3. Coordinate with other agencies in the implementation of public outreach and education campaigns to inform the community about food related emergency preparedness.

General Policy #2

The American Planning Association, its Chapters and Divisions, and planners support strengthening the local and regional economy by promoting community and regional food systems.

Specific Policy #2A. Planners support integrating food system elements into urban, rural, and regional economic development plans.

Reason to support

The food sector is a significant, yet under-appreciated part of local and regional economies. The lack of awareness of the economic significance of the food sector is partly due to the sector's fragmentation and the absence of an overall food planning agency or food department in government. Incorporating food issues into economic development analyses and plans assures that the important economic contributions that the food sector makes to communities and regions are preserved and enhanced.

Planners could play the following roles:

1. Support preparation of area-wide economic development plans that incorporate food production, processing, wholesale, retail, and waste management activities as well as consideration of the impacts these activities have on the local and regional economy in terms of jobs, tax and sales revenues, and multiplier effects.
2. Support efforts to raise public awareness of the importance of the food sector to the local and regional economy.

Specific Policy #2B. Planners support developing land use planning policies, economic development programs, land taxation, and development regulations to enhance the viability of agriculture in the region (as identified in the APA Agricultural Land Preservation Policy Guide).

Reason to support

In an era of globalization of agricultural commodities, economic viability at the local and regional levels is enhanced by promoting agriculture and food processing for local consumption. In addition to economic viability, planners can help achieve other benefits by taking a comprehensive view of the multiple functions served by rural landscapes adjacent to suburban and urban population centers. They can promote profitable agricultural enterprise farms that preserve resources for future generations while providing significant public goods in the form of beautiful working landscapes, ecological stewardship, and greater awareness and appreciation of the area's agriculture among the general population.

Planners could play the following roles:

1. Conduct assessments of prime agricultural lands that will be affected by current and projected development trends.
2. Analyze factors that support or constrain the viability of agriculture in the region such as high property taxes, access to markets, high cost of capital, and land use regulations that restrict farmers' ability to earn additional income through agri-tourism or farm stands. Special attention in this category may be given to "agriculture of the middle," i.e. farms that fall in between local and commodity markets.
3. Develop or modify policies, regulations, and other tools such as agricultural land preservation zoning, purchase of development rights, transfer of development rights, and partnerships with land trusts, to protect prime agricultural land.
4. Partner with organizations that promote better understanding of farm life for urban dwellers to reduce the urban/rural divide.

Specific Policy #2C. Planners support developing appropriate land use, economic development, transportation and comprehensive planning policies and regulations to promote local and regional markets for foods produced in the region.

Reason to support

Planners can help open up more area-wide markets for farmers in the region. Expanding markets for local farmers and processors would not only help them survive economically and preserve unique regional agricultural and food traditions, but also reduce the pressures on some farmers to sell their land for urban development engendered by sprawl. Efforts to combat sprawl would benefit significantly from initiatives to enhance local markets for locally produced and processed foods.

Planners could play the following roles:

1. Develop land use and transportation plans, modify development regulations, and help prepare economic incentive programs to provide accessible and well-serviced sites and other development assistance for year round public markets, farmers' markets, small-scale processing facilities, and distribution centers for foods produced in the region.
2. Prepare comprehensive and neighborhood plans that recognize community gardens and other forms of urban agriculture, farm/garden stands, and farmers' markets as desirable civic uses in neighborhoods, and provide sufficient space, infrastructure, and inter-modal transportation access for such uses. Ensure that zoning barriers to these activities are addressed or removed.
3. Through plans, state and federal agricultural policies and funding, and development regulations, support food production for local consumption, direct marketing by farmers, agri-food tourism, and niche marketing of specialized agricultural products such as wines, cheeses, and cherries.
4. Assemble and implement business enhancement and related incentives to help public institutions such as schools, hospitals, colleges, and government agencies, and private food outlets such as grocery stores and restaurants source foods produced in the region.

Specific Policy #2D. Planners support developing food system inventories, economic and market analyses, and evaluation techniques to better understand the economic impact and future potential of local and regional agriculture, food processing, food wholesaling, food retailing and food waste management activities.

Reason to support

More accurate metrics are needed to guide community and regional food-related economic development planning in a comprehensive manner, and in a way that considers direct and indirect impacts. The censuses of agriculture and retail and wholesale trades, national surveys, and many forms of local food assessments are used to understand the relationships between the food system and the other sectors of the economy. Differing data-gathering conventions in these categories can make it difficult to measure relationships accurately. Planners can help to bring different data together and provide comprehensive analyses at community and regional levels on a variety of indicators needed to inform food-related economic development planning.

Planners could play the following roles:

1. Support studies that consider the impact on the area-wide economy of locally oriented food production and distribution activities such as farmer's markets, food co-operatives, community supported agriculture farms, local food processing facilities, community gardens, public markets, niche farming enterprises, and other locally sourced food businesses.
2. Undertake studies assessing trends in farm consolidation, including underlying factors, to inform plans to support "agriculture of the middle."
3. Contribute to the preparation of regional food resource guides that identify organizations and businesses that are involved in local and regional food production, processing, and retailing, the better to educate the public and build links between local producers and local consumers.

Specific Policy #2E. Planners support initiatives in marketing, technical, and business development assistance for small-scale and women and minority-owned farm, food-processing and food retail enterprises.

Reason to support

A vibrant local economy supports a range of enterprises run by a diverse group of owners and managers. New and transitioning small-scale farm and food enterprises can benefit from programs that provide production training, build marketing connections, teach business and financial planning, and provide other business services. Community organizations exist in many areas to provide these training and assistance programs.

Planners could play the following roles:

1. Collaborate with agricultural and related agencies and other organizations that provide training, technical assistance, and capital to small-scale businesses and businesses owned by women and minorities engaged in farming, food processing, and food retailing operations.
2. Assist efforts to help regional farmers diversify their products, and produce and market organic and other high-value products desired by consumers.
3. Support the development of community kitchens and related infrastructure, food business incubator facilities, and entrepreneurial urban agriculture projects.

General Policy #3

The American Planning Association, its Chapters and Divisions, and planners support food systems that improve the health of the region's residents.

Specific Policy #3A. Planners support and help develop policies, plans, and regulations in land use, transportation, economic development, and urban design so as to increase access to food sources that offer affordable and culturally appropriate healthful foods, especially for low income households in urban and rural areas.

Reason to support

Research suggests that households' proximity to supermarkets is correlated with positive dietary health. Planning can facilitate the availability of and convenient access to retail grocery outlets. Besides grocery stores, mom-and-pop corner stores, farmers markets, farm stands, ethnic markets, and community vegetable gardens can offer access to healthful foods at low-cost to low-income and ethnic and racial minority households. On the other hand, it should be recognized that sometimes planning decisions can have unintended negative impacts on the development, operation, or use of neighborhood-oriented grocery stores and other food sources that offer healthy, affordable foods; such decisions should be avoided.

Planners could play the following roles:

1. Encourage mixed-use neighborhood design and redevelopment to include small and mid-size grocery stores (e.g., 3,000 to 20,000 square feet), seasonal farmers markets, community-based and government nutrition programs, and open space and related infrastructure for community vegetable gardens to allow residents to grow their own food.
2. Develop area plans and design schemes in ways that encourage safe and convenient pedestrian, bike, transit connections between neighborhoods and the food sources described above.
3. Support transit programs that improve connections between low-mobility neighborhoods on the one hand, and supermarkets, community gardens, food assistance programs such as food pantries and soup kitchens, and health and social service providers on the other, with a view to reducing travel time and enhancing safe and convenient use.
4. On publicly owned lands, such as schoolyards, parks and greenways, and tax-foreclosed properties, support the development of vegetable gardens, edible landscaping, and related infrastructure, and the formation of partnerships with community-based nonprofits serving low-income residents for garden related programs.

Specific Policy #3B. Planners develop and support policies, plans, and regulations in land use, transportation, economic development, and urban design to encourage the availability of healthy

types of foods associated with reduced risk of or occurrence of obesity and poor nutrition leading to diet-related diseases like diabetes and heart disease (especially in and near schools and other predominantly youth-centered environments.)

Reason to support

Low-income, particularly African American and Hispanic, neighborhoods often have a higher density of convenience stores selling junk food, liquor stores, and fast food outlets relative to full service grocery stores that offer a variety of healthy products. This is correlated with higher rates of diet-related disease and mortality in these communities. Youth in disadvantaged neighborhoods are especially vulnerable to the disproportionate availability of such foods.

Planners could play the following roles

1. Assess and map the availability of fast food restaurants in low income neighborhoods relative to the availability of grocery stores offering healthier food options.
2. Explore the feasibility of zoning changes to limit the development of fast food outlets within a specified radius of schools (say, one-half mile) and other youth-centered facilities such as the local YMCA and YWCA and boys and girls clubs.
3. Explore the possible use of sign controls to prevent billboards that market low nutrient/high calorie foods fast foods and other negative food marketing within a specified radius of schools and other youth-centered facilities.

Specific Policy #3C. Planners support, through appropriate land use and zoning, transportation, urban design, and research tools, community-based organizations that develop demand for healthful foods, especially in low-income communities.

Reason to support

Activities to promote healthy diets have to address both the supply and demand side of healthy eating. Although supplying healthful foods tends to require greater attention to physical infrastructure and logistics of food product flows, supply and household demand are also closely linked. In neighborhoods lacking healthful options, households often adapt by depending more heavily on fast food outlets and convenience stores located there. Although planners may have few direct roles to play in increasing household demand for better quality foods, their activities in land use, transportation, and community assessment make them important partners to nutrition and health education groups.

Planners could play the following roles:

1. Undertake neighborhood studies related to the siting of health and social service facilities (that may offer food stamps and other nutrition programs) near retail grocery outlets offering nutritious foods.
2. Support the development of temporary farm stands, urban agriculture projects, and community vegetable gardens on school, park, and community center sites, and near public agency offices and nonprofit providers offering health, human and social services.
3. Promote the provision of community gardens, urban agriculture projects, and community kitchens in multifamily and low-income housing projects.
4. Assist programs that encourage youth to consume healthy foods that they are involved in producing, such as through edible schoolyards, after school gardening and snack programs, and food preparation classes.
5. Assemble and implement business-enhancement incentives to encourage partnerships between convenience stores and neighborhood-based nonprofits that encourage stores to offer healthful foods on the one hand, and educate the community to adopt healthy diets, on the other.

Specific Policy #3D. Planners support, through land use decisions, environmental monitoring, ecological mitigation, and policies related to working conditions of farm and food workers, food safety practices that ensure consumer health.

Reason to support

Recent food contamination scares related to spinach and peanut butter have revealed the possible pathways between land use patterns, agricultural operations, sanitary living and working conditions for farm workers, and food safety practices within processing plants, markets, and stores on the one hand and food safety outcomes and related human health on the other. For example, runoffs from concentrated animal operations have been found to taint spinach with strains of E coli bacteria that proved deadly when raw spinach was consumed. Similarly, the use of sub-clinical doses of antibiotics to speed up animal growth has implications for human health in the form of more powerful and antibiotic-resistant bacteria. Finally, the quality of environments and working conditions for farm and food workers, and specifically, the availability of sanitary facilities near farms, are also an important factor for food safety. A further example relates to the high speed of meat processing conveyor belts that creates a higher risk of injury to workers and of fecal material entering the meat, both of which pose significant implications for food safety.

Planners could play the following roles:

1. Support land use decisions, environmental monitoring, and ecological mitigation that prevents potential contamination of agriculture and food products through water runoffs from animal operations, provides sanitary living and working conditions for farm and food workers, and otherwise promotes food safety. In supporting these decisions, additional barriers and costs that potentially may be imposed on especially small and limited resource farmers and ranchers may need to be considered and addressed.
2. Support agricultural and food practices that affirmatively and proactively address worker health and safety in ways that also advance food safety.
3. Assess the possible food safety implications of older buildings housing food markets, grocery stores, and food processing operations, with a view to supporting goals related to food safety and business viability, and consider providing incentives to businesses to enhance food safety.

General Policy #4

The American Planning Association, its Chapters and Divisions, and planners support food systems that are ecologically sustainable.

Specific Policy #4A. Planners support the creation of community and regional food systems linking production, processing, distribution, consumption, and waste management to facilitate, to the extent possible, reliance on a region's resources to meet local food needs.

Reason to support

A core principle of sustainability involves meeting basic human needs, such as food, shelter, and water, via renewable sources as spatially proximate to their consumption as possible. Communities that rely on distant food sources are rendered vulnerable to the vagaries of market decisions, transportation infrastructure, and energy prices over which they have little control. Additional benefits to greater regional self-reliance in food include cutbacks in emissions of greenhouse gases from transporting food products; protection of local agriculture; and a greater likelihood that residents' greater connection to their region as a source of sustenance will lead them to care more about the region's resources, protect them, and balance appropriately the priorities for development versus conservation of regional agriculture.

Planners could play the following roles:

1. Encourage conservation of regional agricultural land, open space, and wilderness resources for agriculture and food systems (as identified in the APA Agricultural Land Preservation Policy Guide).
2. Support the creation of marketing networks to bring together farmers, processors, and purchasers of locally grown and produced foods.
3. Support, as relevant with the use of planning tools, the integration in food production and distribution of sustainability principles and practices, which promote clean air, water, healthy soils, and healthy habitats and ecosystems.

4. Provide incentives and special zoning provisions to integrate locally supported agriculture (e.g., community gardens, urban agriculture, small farms) into existing settlements and new areas of residential development.

Specific Policy #4B. Planners support food system activities that minimize energy use and waste, and encourage the use of local and renewable energy resources.

Reason to support

The historic low cost of fossil fuel has led to the development of highly inefficient agriculture and food system practices. As petroleum prices rise, the costs to consumers increase, critically affecting low-income households' efforts to be food-secure. Excessive dependence on a fossil-fuel based economy also has significant implications for homeland security; on the other hand, promoting local and renewable energy resources can enhance security as well as the regional economy.

Planners could play the following roles:

1. Develop regional plans and policies that strengthen markets for the region's food producers so as to reduce long-distance transportation of agricultural products and processed foods.
2. Assist in conducting energy audits to assess amounts and sources of energy used in the region for the production, distribution, and consumption of food. This inventory can identify existing uses of local and sustainable energy resources as well as the potential for expansion in this area.
3. Support as relevant with planning tools, efforts to assess the capacity of regional agriculture for meeting potential energy demands versus regional food needs.
4. Assess the impact of food waste disposal on area landfills and explore possibilities related to recycling food wastes through composting and bio-fuel development.

Specific Policy #4C. Planners support efforts to assess and mitigate the negative environmental and ecological effects caused by and affecting food system activities.

Reason to support

Conventional agriculture, fisheries, and other food system activities create considerable amounts of air and water pollution, loss of topsoil, and extinction of species including those central to the cultural traditions of many ethnic groups and Native Americans. Water pollution from other sources such as mining operations and industrial discharge into waterways, etc., can also affect food systems, through, for example, increased mercury concentrations in fish, fish kills, and loss of habitat. Planners involved in environmental assessment and mitigation activities could look more closely at how food system activities create or are affected by negative environmental impacts. These environmental impacts can also have human health implications, which need special attention. Fisheries play an especially important role in subsistence and commercial food systems and need special consideration to balance human needs with the long term sustainability of the fisheries. Fisheries, like most food-ecosystem linkages described in this policy guide, need greater development in future food planning policy.

Planners could play the following roles:

1. In collaboration with other professionals, explore pathways through which the food system impacts the region's natural environment, fisheries and other wildlife habitats, and ecology, and the impacts of pollution on food systems. This analysis can inform plans to sustain ecologies including those upon which our food system depends, and to minimize harm to them.
2. Assist in assessing the sources of lake and river pollution and eutrophication, and considering ways to reduce such pollution.
3. Assist in assessing solid waste streams at different points of the community's food system (production, wholesale, retail, consumer, etc.) and considering ways to reduce, reuse, and recycle wastes.

4. Support efforts to reduce and mitigate negative air quality impacts in food system activities, including those contributed by farm activities and the long-distance transportation of food from farm to fork.
5. Support strategies to increase the adoption of water and soil conservation practices in agriculture.

General Policy #5

The American Planning Association, its Chapters and Divisions, and planners support food systems that are socially equitable and just.

Specific Policy #5A. Planners employ land use, transportation, and other planning tools to increase spatial access to programs and facilities that help reduce hunger and food insecurity for residents in impoverished urban and rural communities.

Reason to support

Hunger and food insecurity affect impoverished households in urban and rural communities across the country. Land use, transportation and other policies planners recommend, and regulations they implement, could inadvertently increase the incidence of hunger and food insecurity in low-income neighborhoods. However, planners are also uniquely positioned to help improve low-income people's access to programs and facilities that enhance food security.

Planners could play the following roles:

1. Provide data and mapping support to community and regional food assessments, including the incidence of food insecurity and location of diverse food assets.
2. Develop plans and redevelopment proposals for food insecure areas with sites and incentives for community gardens, entrepreneurial urban agriculture projects, farmers markets, neighborhood grocery stores, and food assistance programs.
3. Investigate the use of appropriate brownfield sites in low-income areas for food production.
4. Develop transportation, community development, and other plans and policies to provide convenient and safe access for low-income households to grocery stores, community gardens, and food assistance providers.
5. Encourage business district revitalization efforts to include support for convenience store sales of fresh foods.

Specific Policy #5B. In partnership with community-based organizations, planners support the creation of programs to enhance food-related economic opportunities for low-income residents.

Reason to support

Food-related enterprises are among the most common type of small business development and a way for many households to supplement income and achieve economic stability. In the past decade, community-based food projects have sprung up in some low-income urban and rural areas to provide economic opportunities for residents there. Among these are urban agriculture projects on vacant lots where some of the produce grown is sold at farmers markets and to restaurants; food business incubation in community kitchens to create value-added products like salsa and salad dressing; and assistance with opening food kiosks and catering operations. Planners can assist these efforts through land use, zoning, facility location, and support of related community development activities.

Planners could play the following roles:

1. Develop area-wide and neighborhood plans with appropriate sites for facilities (such as community kitchens) and spaces (such as for entrepreneurial community gardens) that support food-related entrepreneurial development for low-income households.

2. Assemble in partnership with other public agencies and community-based organizations, economic development programs and incentives for food-related enterprise development, job creation, and workforce development.

Specific Policy #5C. Planners encourage and support food production on the grounds of public agencies and institutions while providing employment to low income workers and distributing products to cafeterias and area food assistance sites.

Reason to support

Public institutions such as universities, schools, hospitals, and correctional facilities have public missions and often collaborate and coordinate with local public agencies related to land, infrastructure, and utility issues. They are generally located on large sites with vacant land suitable for growing food, and spend money on landscaping, grounds keeping and management. Some of this money can be put to productive use in growing food for their on-site cafeterias while also providing healthy food and employment related benefits for lower-income residents.

Planners could play the following roles:

1. Develop assessments of land on institutional properties suitable for cultivation and support food production activities on these sites.
2. Explore ways in which these institutions can be linked with community-based organizations in producing food on their sites to provide job opportunities and healthy food for school cafeterias and low-income residents — e.g., programs such as "plant-a-row" that add fresh produce to food assistance provided by Second Harvest Food Banks.
3. Provide site planning, design, and other relevant assistance to these institutions to facilitate food production and distribution.

Specific Policy #5D. Planners support resolving issues of rural poverty through land use, transportation, economic development planning and appropriate regulatory measures.

Reason to support

Many farm and food sector jobs in rural areas are characterized by poor working conditions, high rates of occupational hazards, rapid turnover, and low rates of union representation. Migrant farm workers and immigrant employees of slaughterhouse and meat packing facilities located in rural communities are most subject to these difficulties. In addition, the increasing number of farm closures can cause farmers to slip into poverty. Planners can recommend policies in land use, transportation, economic development, and social services to improve the quality of life of impoverished rural households.

Planners could play the following roles:

1. Assist the region's farm and food worker organizations in rural food and community assessment and improvement efforts.
2. Undertake assessments of possible links between farm and food workers' work conditions and planning-related decisions (e.g., distance between housing, schools, and work sites, and availability of transportation options).
3. Prepare comprehensive and rural community plans to address the spatial, social and economic needs of low-income rural residents.
4. Explore the development community policies for "fair trade" purchasing by public agencies to ensure that public expenditures in food procurement are fair and equitable to producers and communities in other countries.

General Policy #6

The American Planning Association, its Chapters and Divisions, and planners support food systems that preserve and sustain diverse traditional food cultures of Native American and other ethnic minority communities.

Specific Policy #6A. Planners support community food assessment and planning to preserve and strengthen traditional native and ethnic food cultures (e.g., fisheries in Louisiana and Alaska and desert foodscapes in New Mexico and Arizona).

Reason to support

Native American and other ethnic minority communities contribute to the nation's diversity of local food traditions which are important to the identity and economic vitality of a region, and the nutritional health of its residents. Unfortunately, recent Native American history has included forced relocations of tribes and dependence on non-native foods (including lard, refined flour, and sugar) leading to a disconnection with traditional food sources and an erosion of traditional food practices that are at the heart of native community life and rituals. The health implications of this history are significant: diabetes and diet-related illnesses are at epidemic proportions in many Native American communities. To a smaller extent, these patterns of dietary health and cultural loss are also familiar in many immigrant communities.

Planners could play the following roles:

1. Assist and support locally based efforts by Native American and other ethnic minority communities, to identify and document community and ecological assets and cultural traditions that are tied to food production, preparation, and consumption (e.g. salmon runs, wild rice and nut-gathering, agricultural fairs, and ethnic and cultural festivals).
2. Support locally based efforts to identify challenges and needs faced by members of Native American and ethnic minority groups in consuming healthful diets.
3. Support locally based efforts to prepare action plans to build on existing assets and cultural traditions that nourish Native and ethnic minority food cultures and to mitigate challenges to them.
4. Assist efforts to develop ongoing community participation mechanisms in food assessments and related planning in First Nations and in communities with a significant Native American or other minority ethnic cultures.

Specific Policy #6B. With the participation and collaboration of communities to be served, planners support the development of plans to preserve and restore the natural environment and biodiversity in the region, to revitalize traditional and ethnic food systems that depend on the regional ecology.

Reason to support

In many cases, local food systems and diets have been lost or impacted due to environmental degradation, habitat destruction or development (e.g. the Onondaga Lake whitefish, Chesapeake Bay blue crab). Restoration of indigenous and traditional food systems has been shown by research to be linked to improved health of residents and benefits to the local economy. Healthy food systems are important for all regions and must be supported in order to ensure food safety and security, sustainable development, public health and nutrition, and sound environmental management.

Planners could play the following roles:

1. Support efforts by and within Native American and other ethnic minority communities to identify and document indigenous and ethnic food systems that have been degraded or are threatened.
2. Support local efforts to restore or protect native, indigenous, or ethnic food systems.
3. Consider the impact of proposed changes in land-use and other plans on the ability of Native American and ethnic minority communities to sustain food production systems and support the coordination of planning efforts to enhance such systems in the future.

Specific Policy #6C. Planners support integrating traditional food systems and related cultural issues into community and regional planning efforts — including comprehensive and economic development plans — and other governance activities.

Reason to support

Diverse local and traditional food practices contribute to a sense of place and help achieve economic, environmental, and health goals of communities. Efforts to integrate traditional methods of food production (such as farming in Amish communities, Navajo shepherding, food gathering, and fisheries) into a multi-functional working landscape require sensitivity to a spectrum of traditions of distinct cultural groups. Additionally, they require effective communication and collaboration across groups in the region and dispute resolution mechanisms. To the extent possible, land use and economic development policies should support the right of farmers, hunters, and food gatherers to practice their occupation in accordance with their religious and cultural norms.

Planners could play the following roles:

1. Support planning that builds on and celebrates the diverse cultural, agricultural, and dietary traditions present in the region.
2. Work with tribal governments and state agencies to address land and resource management issues so as to strengthen Native American food systems including farming, hunting, gathering and fishing and nutritious diets.
3. Work collaboratively to establish mechanisms in the region to minimize and resolve conflicts between tribal governments, other local governments, and state and federal agencies and among different minority groups in communities, so as to facilitate Native and other ethnic minority communities' efforts to sustain their food systems.

General Policy #7

The American Planning Association, its Chapters and Divisions, and planners support the development of state and federal legislation that facilitates community and regional food planning, including addressing existing barriers.

Specific Policy #7A. APA, its Chapters and Divisions support developing and advocating for programs in the federal Farm Bill to facilitate community and regional food planning discussed in General Policies #1 through #6.

Reason to support

All titles of the Farm Bill affect local areas and therefore what planners can accomplish by engaging in community and regional food planning. For example, the continued availability of food stamps and farmers market nutrition program benefits is important for impoverished households as well as to the vitality of grocery stores and farmers markets. Similarly, rural development programs can help develop value-added food enterprises, renewable energy systems, land use management, and air and water quality enhancement. The Farm Bill also includes many provisions that favor, intentionally or not, larger agribusinesses over smaller farm operations in the distribution of subsidies, design of regulations, and other requirements that impose greater burden on the latter. To achieve the goals of community and regional food planning, many of these provisions will need to be re-oriented. In the end, federal (and state) support is indispensable to communities and regions' ability to plan for food under normal and emergent circumstances and further the goals of food planning identified in this Policy Guide.

APA, its Chapters, and Divisions could play the following roles:

1. Analyze how different titles of the Farm Bill affect communities and regions, pose barriers to achieving goals of community and regional food planning, and in particular, how they may affect planners' ability to implement actions recommended in General Policies #1 through #6.
2. In collaboration with other organizations advocating for policies relevant for economic development, public health, sustainable agriculture and food systems, and social justice, develop and advocate for proposals in the Farm Bill to facilitate actions described under General Policies #1 through #6.
3. Develop and disseminate timely action-guides and alerts for APA and chapter membership to build support for the legislative platform advocated by APA.

Specific Policy #7B. APA, its Chapters and Divisions support the development and advocacy of policies and programs outside of the federal Farm Bill to further General Policies #1 through #6.

Reason to support

The food system is complex and intricately linked with other systems such as health, energy, education, economy, environmental protection, and housing. Although the Farm Bill might be a first, seemingly intuitive target of policy advocacy efforts to further objectives suggested in this Policy Guide, effective community and regional food planning may also need to be supported through other federal legislation. For example, programs in the next Transportation Bill could conceivably support small farmers' needs to bring product to markets, increase transit access of urban and rural households to grocery supermarkets, and renewable and sustainable biofuel development. Legislation related to the functions administered by the Departments of Education or Health and Social Services might help supply more fresh foods from local farms in all schools, or support the development of farmers markets in public health and social service institutions. As an advocate of good planning at the national level, APA can help to direct attention to areas of federal legislation that could support and foster community and regional food planning.

APA, its Chapters, and Divisions could play the following roles:

1. For each general policy statement in this guide, identify and research significant upcoming federal legislative opportunities, rule-making, or appropriations activities that affect that policy, and planners' ability to implement suggested actions under that policy. For example, programs in the Transportation Bill could be targeted as applying to General Policy #2 (economic vitality), #3 (health) or #5 (social equity).
2. In collaboration with other organizations, develop and advocate for proposals related to legislation, appropriations, or rule-making, to further actions described under policy statements #1 through #6.
3. Develop and disseminate timely action-guides and alerts for APA membership to build support for the proposals advocated by APA.

Specific Policy 7C. APA Chapters support the development and advocacy of state policies and programs to further General Policies #1 through #6.

Reason to support

These reasons are similar to those stated in Specific Policies #7A and #7B, but within the arena of state legislation. State policies, regulations, and programs can provide important resources or pose significant constraints to achieve objectives sought under this Policy Guide. Additionally, states have arguably a greater ability than federal agencies to design and implement policies that support community and regional food planning, such as those that discourage the conversion of productive farmland, ease regulatory burdens on small and moderate farms, and encourage the development of regional food infrastructure.

APA Chapters could play the following roles:

1. Roles similar to those in Specific Policies #7A and #7B as indicated above, but at the state level
2. Chapters could document related activities to enable the broader APA membership to draw lessons from their successes and challenges, and to inform federal policy advocacy.

Specific Policy #7D. APA Chapters support the development of and participation in state food policy councils that provide a comprehensive and systematic focus on statewide food issues and needed actions.

Reason to support

Comprehensive and systematic food planning at the state level could provide a significant impetus to General Policy #1 and others in this Policy Guide. In ways that are currently nonexistent except for a handful of states such as Connecticut, Iowa, California, and Michigan, state food policy councils provide a way for stakeholders in public, for-profit, and nonprofit sectors to come together to

discuss community and regional food concerns, share information, and recommend policies and actions to achieve goals identified in this Policy Guide.

APA Chapters could play the following roles:

1. Conduct research on existing state food policy councils and assess the feasibility of a state food policy council if currently non-existent, including its structure, decision processes, constituents, and relationship to government agencies and legislative bodies.
2. Provide maps, information, and analysis on particular planning issues linking food system and local areas to food policy councils.
3. Develop policy and programmatic recommendations related to those proposed in this Policy Guide for the consideration of and action by state food policy councils to consider.

Specific Policy #7E. APA Chapters and Divisions support the development of federal policies related to international trade, humanitarian aid, development assistance, and other categories of international involvement in ways that promote sustainable and self-reliant solutions to hunger and food insecurity experienced in other countries.

Reason to support

Across the world, populations in impoverished countries continue to experience hunger and food insecurity at high rates. Half of the global population — nearly 3 billion people — lives on less than two dollars a day, an important indicator of poverty. In an increasingly interdependent world, it is not only incumbent upon wealthier countries to act responsibly to end hunger and food insecurity across the globe, it is also important to redress the adverse impacts of agriculture trade policies on the ability of poor urban and rural households to subsist. Most of the world's farmers are small-scale farmers; they also tend to have inadequate or precarious access to food themselves. Yet foreign aid for agriculture and rural development has continued to decline over the last three decades. Solutions to hunger and poverty in impoverished countries need to include investments in agriculture, education, health, and essential public goods.

APA Chapters and Divisions could play the following roles:

- Support U.S. international policies related to trade, humanitarian assistance, economic and social development, and conflict resolution affecting impoverished countries, in ways that sustainably increase local capacity for food security and food self-reliance.
- Support U.S. policies and programs for international development that encourage investments in local agriculture, education, health, and essential public goods such as roads, clean water, and electricity.
- Support multi-national non-governmental organizations that increase community capacity in sustainable agriculture and food systems in poor countries, increase food security across the globe while promoting social justice and ecological sustainability, and create learning exchanges between grassroots groups in more and less industrialized parts of the world.
- Support U.S. humanitarian food aid in ways that minimize adverse impacts to agricultural markets in surrounding regions, and especially prevent dumping of excess U.S. agricultural product in these regions.

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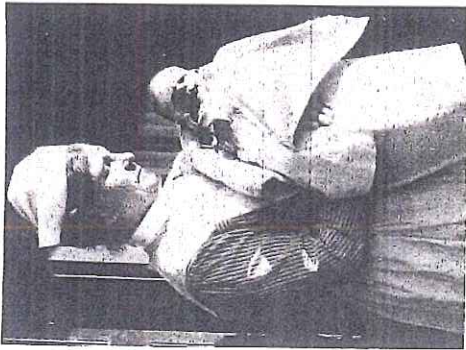
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Babette Neumayer served as midwife from the 1890s to the 1920s. She delivered most of the children in Grossdale.

1906 The village post office opens under the name of Brookfield.

1907 A brief nationwide economic depression occurs. The new names are posted on the railroad stations.

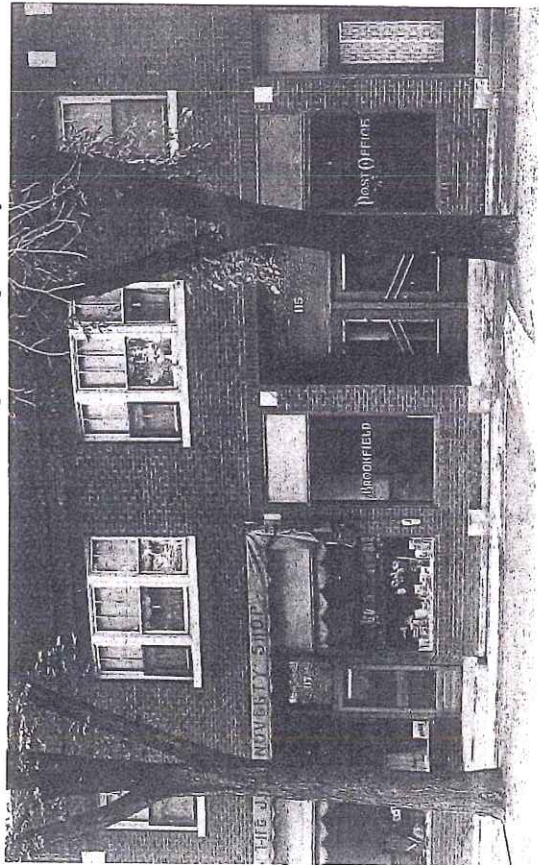
1910 Brookfield's population reaches 2,186. George Mathias builds first wireless set in Brookfield.

1911 Brookfield Kindergarten on Forest Avenue is opened and offers a one-year or two-year course to four and five year olds. Ruth Caldwell Newell reminisced "we had milk and crackers every morning, and we changed our shoes into leather moccasins We had an interesting fish pond ... the fish pond was quite large and it was a pond built in the building; it wasn't an individual tank, it was more like a natural setting." Queenie Coonley donated the land and commissioned the building.

Two additions to Hollywood are platted by Edith Rockefeller McCormick this year and next. These additions are identified by Hollywood's straight streets and her family names. Rockefeller is Hollywood's northernmost street and runs along the Zoo and the streetcar tracks. McCormick runs north and south.

1912 Brookfield State Bank opens in the new Graham-Schultz building at Prairie and Brookfield avenues.

The post office was located on Grand Boulevard when the village's name changed to Brookfield.



Addressing the Village

1913 An ordinance requires all lots in the village be numbered. This numbering begins at Southview and Maple avenues, covers all directions, and goes as high as 800 South at 47th Street

The Brookfield Woman's Club secures a \$10,000 grant from the Andrew Carnegie Corporation for a public library. After purchasing land and agreeing to support the library with an annual allocation, the library is built at the corner of Lincoln Avenue and Grand Boulevard. Brookfielders assist with construction. W. F. Kamin is general contractor, Ernest Weiss does the masonry, and Edwin Kline of Congress Park assists with the lighting.

The subway near Congress Park depot is built. Telegraph service into village begins.

1914 Burlington Heights is opened but later vacated. Brookfield Manor then opens in the same area, bounded by Maple and Washington avenues, Salt Creek and 31st Street.

The first village election in which women vote is April 25. A total of 1,167 votes are cast, with 628 ballots by men and 539 by women. Women are allowed to vote for certain national and local offices, but have separate ballots and ballot boxes.

The idea of a "forest preserve" is presented. The plan of preserving wooded areas in Cook County passed.

The village issues 16 auto licenses and 35 horse tags.

The Brookfield Poultry Association holds a competition. A second-place ribbon is won by resident Fred Rossow. Many residents keep chickens

The Brookfield Theatre is built on Grand Boulevard.

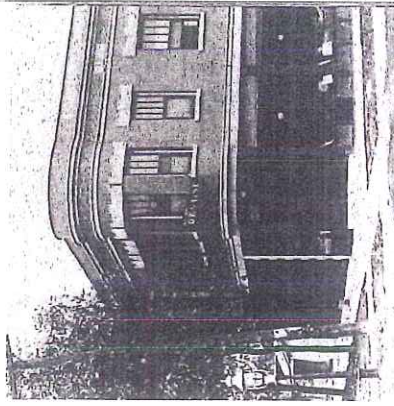
1915 Brookfield is filling in with another subdivision. Portia Manor opens in the last open quadrant of Section 34; Washington, Kemman, Southview and Maple avenues are the boundaries.

The Eastland steamer ship capsizes in the Chicago River, and 812 people drown. Western Electric employees were on a special outing. The late Mary Colgrass remembered that her mother didn't get on the boat, because she "had a feeling that something was wrong."

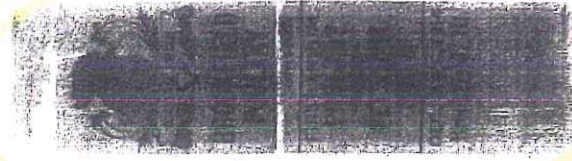
1916 The fire department moved into the mobile years with the purchase of a motor-driven truck. Howard Schyke remembers "when they got the truck, of course, they had to learn how to drive. They had double doors on both sides of the old Village Hall; they learned to drive through the building."

1917 World War I begins.

A 2nd place was won by Fred Rossow in the first annual Poultry and Pet Stock show.



The Graham-Schultz building was constructed by Ernest B. Graham and Frederick C. Schultz in 1911.



Besides Germania Aufenast, the Rossows raised five other children: Hazel Engstrom, Genevieve Thompson, Harvey, Alice Garner, who volunteered at Hines Hospital for 30 years, and Ralph, a navy veteran of World War II and affiliated with local veteran organizations.

The family recalls the early years of prairies and muddy streets. The parents witnessed the installing of water mains, fire hydrants and cement walks in 1906. Between 1907 and 1915, the streets were macadamized and in 1926, the streets were paved. Ernst Rossow raised chickens and pigeons. He entered a rooster in the Brookfield Poultry Association Pet and Stock show in 1914 and was awarded a red ribbon for second prize.

Milk was delivered by sleigh in winter by Croak's Dairy. Spiedel Coal Company plowed snow from the sidewalks with a V-shaped wooden plow pulled by a horse. There were Fourth of July parades and fireworks held on the Gross School grounds. Door-to-door collections were made to pay for the fireworks. Alice remembers riding in a parade in Ben Croak's surrey with the fringe.

Rossow family members who still reside in Brookfield are Genevieve Thompson, Alice Garner, and Ralph Rossow. The home they were raised in still remains in the family.



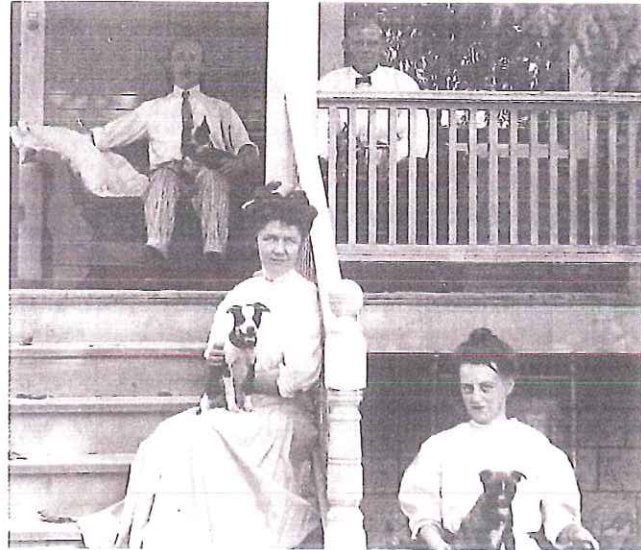
The Harvey R. Green Family

by Mary Green Kircher

In 1907 Harvey R. Green and his wife, Elizabeth Cook, moved into the house at 119 (now 4019) DuBois Boulevard. The Dutch Colonial house was built by Ernest B. Graham. The Greens moved from Chicago where they had married in 1899. They met when Harvey was a store photographer and he took Elizabeth's picture.

Harvey's family had moved to the Chicago area from Morris in 1887. They were among the early retailers of "men's furnishings," meaning clothes and accessories. Harvey also had worked at Carson's and Marshall Field's.

Elizabeth's family lived in Milwaukee, but at times the Brookfield home was almost a boarding house. Elizabeth's sister and father lived there for awhile. Father George Cook stayed at their house



Harvey Green Family

before entering Hinsdale Hospital in 1926. The Civil War veteran died shortly after.

Harvey may best be remembered for his wonderful gardening. The vacant lots surrounding the home became summer time plots of vegetables. Harvey also was a Mason in the LaGrange Lodge.



Harvey R. and Elizabeth Green, 1941

Elizabeth was part of a bridge club which included Mrs. E. B. Graham, Mrs. F. C. Schultz, Mrs. Krause, Mrs. Burnett, Mrs. Whitney and others. Elizabeth also made quilts, tatted, embroidered, and painted china. The bridge club gave prizes which the members brought, and Elizabeth frequently brought a hand painted cup and saucer set.

Elizabeth and Harvey had a son, Harvey Frederick, born in 1912. He attended Congress Park School and Lyons Township High School.

The house on DuBois Boulevard was a wonderful home to a very loving family. They'll always be remembered.



Mrs. Mae Steiner and Ed Steiner, 1917

Chicken

From Wikipedia, the free encyclopedia

The **chicken** (*Gallus gallus domesticus*) is a domesticated fowl, a subspecies of the Red Junglefowl. As one of the most common and widespread domestic animals, and with a population of more than 24 billion in 2003,^[1] there are more chickens in the world than any other species of bird. Humans keep chickens primarily as a source of food, consuming both their meat and their eggs.

The traditional poultry farming view of the domestication of the chicken is stated in *Encyclopaedia Britannica* (2007): "Humans first domesticated chickens of Indian origin for the purpose of cockfighting in Asia, Africa, and Europe. Very little formal attention was given to egg or meat production... "^[2] Recent genetic studies have pointed to multiple maternal origins in Southeast, East, and South Asia, but with the clade found in the Americas, Europe, the Middle East and Africa originating in the Indian subcontinent. From India the domesticated fowl made its way to the Persianized kingdom of Lydia in western Asia Minor, and domestic fowl were imported to Greece by the fifth century BC.^[3] Fowl had been known in Egypt since the 18th Dynasty, with the "bird that lays every day" having come to Egypt from the land between Syria and Shinar, Babylonia, according to the annals of Tutmose III.^[4]

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Chicken



A rooster (left) and hen (right)

Conservation status

Domesticated

Scientific classification

Kingdom: Animalia
 Phylum: Chordata
 Class: Aves
 Order: Galliformes
 Family: Phasianidae
 Genus: *Gallus*
 Species: *Gallus gallus*
 Subspecies: *Gallus gallus domesticus*
 (Linnaeus, 1758)

Synonyms

Chicken : Cock or Rooster (m), Hen (f)

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Terminology

In the UK and Ireland adult male chickens are primarily known as *cocks*, whereas in America, Canada and Australia they are more commonly called *roosters*. Males under a year old are *cockerels*.^[5] Castrated roosters are called *capons* (surgical and chemical castration are now illegal in some parts of the world). Females over a year old are known as *hens*, and younger females are *pullets*.^[6] In Australia and New Zealand (also sometimes in Britain), there is a generic term *chook* (/ˈtʃʊk/^[7]) to describe all ages and both sexes.^[7] Babies are called *chicks*, and the meat is called *chicken*.

"Chicken" originally referred to chicks, not the species itself. The species as a whole was then called *domestic fowl*, or just *fowl*. This use of "chicken" survives in the phrase "Hen and Chickens", sometimes used as a British public house or theatre name, and to name groups of one large and many small rocks or islands in the sea (see for example Hen and Chicken Islands).

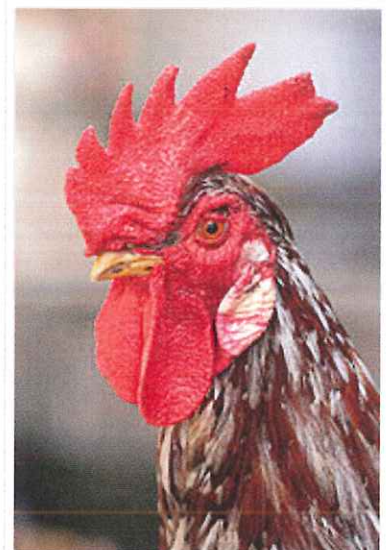
In the Deep South of the United States, chickens are also referred to by the slang term *yardbird*.^[8]

General biology and habitat

Chickens are omnivores.^[9] In the wild, they often scratch at the soil to search for seeds, insects and even larger animals such as lizards or young mice.^[10]

Chickens may live for five to ten years, depending on the breed.^[11] In commercial intensive farming, a meat chicken generally lives six weeks before slaughter.^[12] A free range or organic meat chicken will usually be slaughtered at about 14 weeks. Hens of special laying breeds may produce as many as 300 eggs a year. After 12 months, the hen's egg-laying ability starts to decline, and commercial laying hens are then slaughtered and used in processed foods, or sold as "soup hens".^[13] The world's oldest chicken, a hen, died of heart failure at the age of 16 according to the Guinness Book of World Records.^[14]

Roosters can usually be differentiated from hens by their striking plumage of long flowing tails and shiny, pointed feathers on their necks (*hackles*) and backs (*saddle*) which are typically of brighter, bolder colors than those of females of the same species. However, in some breeds, such as the Sebright, the rooster has only slightly pointed neck feathers, the same color as the hen's. The identification must be made by looking at the comb, or eventually from the development of spurs on the male's legs (in a few breeds and in certain hybrids



The adult rooster can be distinguished from the hen

the male and female chicks may be differentiated by color). Adult chickens have a fleshy crest on their heads called a *comb* or *cockscorn*, and hanging flaps of skin either side under their beaks called *wattles*. Both the adult male and female have wattles and combs, but in most breeds these are more prominent in males. A *muff* or *beard* is a mutation found in several chicken breeds which causes extra feathering under the chicken's face, giving the appearance of a beard.

Domestic chickens are not capable of long distance flight, although lighter birds are generally capable of flying for short distances, such as over fences or into trees (where they would naturally roost). Chickens may occasionally fly briefly to explore their surroundings, but generally do so only to flee perceived danger.

Chickens are gregarious birds and live together in flocks. They have a communal approach to the incubation of eggs and raising of young. Individual chickens in a flock will dominate others, establishing a "pecking order", with dominant individuals having priority for food access and nesting locations. Removing hens or roosters from a flock causes a temporary disruption to this social order until a new pecking order is established. Adding hens—especially younger birds—to an existing flock can lead to violence and injury.^[15]

Hens will try to lay in nests that already contain eggs, and have been known to move eggs from neighboring nests into their own. Some farmers use fake eggs made from plastic or stone (or golf balls) to encourage hens to lay in a particular location. The result of this behavior is that a flock will use only a few preferred locations, rather than having a different nest for every bird.

Hens can also be extremely stubborn about always laying in the same location. It is not unknown for two (or more) hens to try to share the same nest at the same time. If the nest is small, or one of the hens is particularly determined, this may result in chickens trying to lay on top of each other.

Roosters crowing (a loud and sometimes shrill call) is a territorial signal to other roosters. However, crowing may also result from sudden disturbances within their surroundings. Hens cluck loudly after laying an egg, and also to call their chicks. Chickens also give a low "warning call" when they think they see a predator approaching.

In 2006, scientists researching the ancestry of birds "turned on" a chicken recessive gene, *talpid2*, and found that the embryo jaws initiated formation of teeth, like those found in ancient bird fossils. John Fallon, the overseer of the project, stated that chickens have "...retained the ability to make teeth, under certain conditions..."^[16]

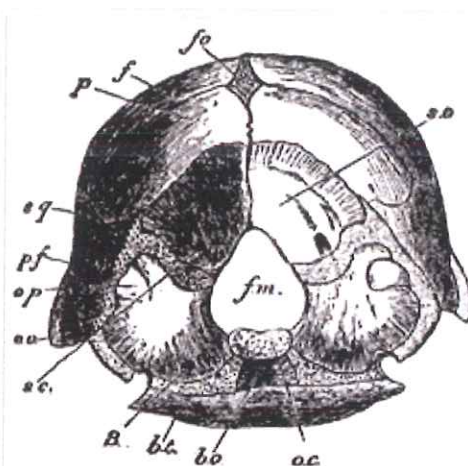
Food sharing and courting

When a rooster finds food, he may call other chickens to eat first. He

by his larger comb



Wild Red Junglefowl



Skull of a chicken three weeks old. Here the opisthotic bone appears in the occipital region, as in the adult

does this by clucking in a high pitch as well as picking up and dropping the food. This behavior may also be observed in mother hens to call their chicks and encourage them to eat.

To initiate courting, some roosters may dance in a circle around or near a hen ("a circle dance"), often lowering his wing which is closest to the hen.^[17] The dance triggers a response in the hen's brain,^[17] and when the hen responds to his "call", the rooster may mount the hen and proceed with the fertilization.

Chelonian. bo = Basi-occipital, bt = Basi-temporal, eo = Opisthotic, f = Frontal, fm = Foramen magnum, fo = Fontanella, oc = Occipital condyle, op = Opisthotic, p = Parietal, pf = Post-frontal, sc = Sinus canal in supra-occipital, so = Supra-occipital, sq = Squamosal, 8 = Exit of vagus nerve.

Breeding

Origins

The domestic chicken is descended primarily from the Red Junglefowl (*Gallus gallus*) and is scientifically classified as the same species.^[18] As such it can and does freely interbreed with populations of red jungle fowl.^[18] Recent genetic analysis has revealed that at least the gene for yellow skin was incorporated into domestic birds through hybridization with the Grey Junglefowl (*G. sonneratii*).^[19] The traditional poultry farming view is stated in *Encyclopaedia Britannica* (2007): "Humans first domesticated chickens of Indian origin for the purpose of cockfighting in Asia, Africa, and Europe. Very little formal attention was given to egg or meat production... "^[20] In the last decade there have been a number of genetic studies. According to one study, a single domestication event occurring in the region of modern Thailand created the modern chicken with minor transitions separating the modern breeds.^[21] However, that study was later found to be based on incomplete data, and recent studies point to multiple maternal origins, with the clade found in the Americas, Europe, Middle East, and Africa, originating from the Indian subcontinent, where a large number of unique haplotypes occur.^{[22][23]}

It has been claimed (based on paleoclimatic assumptions) that chickens were domesticated in Southern China in 6000 BC.^[24] However, according to a recent study,^[25] "it is not known whether these birds made much contribution to the modern domestic fowl. Chickens from the Harappan culture of the Indus Valley (2500-2100 BC), in what today is Pakistan, may have been the main source of diffusion throughout the world."

A northern road spread chicken to the Tarim basin of central Asia, modern day Iran. The chicken reached Europe (Romania, Turkey, Greece, Ukraine) about 3000 BC.^[26] Introduction into Western Europe came far later, about the 1st millennium BC. Phoenicians spread chickens along the Mediterranean coasts, to Iberia. Breeding increased under the Roman Empire, and was reduced in the Middle Ages.^[26] Middle East traces of chicken go back to a little earlier than 2000 BC, in Syria; chicken went southward only in the 1st millennium BC. The chicken reached Egypt for purposes of cock fighting about 1400 BC, and became widely bred only in Ptolemaic Egypt (about 300 BC).^[26] Little is known about the chicken's introduction into Africa. Three possible ways of introduction in about the early first millennium AD could have been through the Egyptian Nile Valley, the East Africa Roman-Greek or Indian trade, or from Carthage and the Berbers, across the Sahara. The earliest known remains are from Mali, Nubia, East Coast, and South Africa and date back to the middle of the first millennium AD.^[26] Domestic chicken in the Americas before Western conquest is still an

ongoing discussion, but blue-egged chicken, found only in the Americas and Asia, suggest an Asian origin for early American chickens.^[26]

A lack of data from Thailand, Russia, the Indian subcontinent, Southeast Asia and Sub-Saharan Africa makes it difficult to lay out a clear map of the spread of chickens in these areas; better description and genetic analysis of local breeds threatened by extinction may also help with research into this area.^[26]

Research by Mary Schweitzer, a paleontologist at North Carolina State University and the North Carolina Museum of Natural Sciences, found that chickens are the closest living relative to *Tyrannosaurus Rex*. Similarities in collagen fibers and proteins were found in a *T. Rex* leg.^[27]

Current

Under natural conditions, most birds lay only until a clutch is complete, and they will then incubate all the eggs. Many domestic hens will also do this—and are then said to "go broody". The broody hen will stop laying and instead will focus on the incubation of the eggs (a full clutch is usually about 12 eggs). She will "sit" or "set" on the nest, protesting or pecking in defense if disturbed or removed, and she will rarely leave the nest to eat, drink, or dust-bathe. While brooding, the hen maintains the nest at a constant temperature and humidity, as well as turning the eggs regularly during the first part of the incubation. To stimulate broodiness, an owner may place many artificial eggs in the nest, or to stop it they may place the hen in an elevated cage with an open wire floor.

At the end of the incubation period (about 21 days),^[17] the eggs, if fertile, will hatch. Development of the egg starts only when incubation begins, so they all hatch within a day or two of each other, despite perhaps being laid over a period of two weeks or so. Before hatching, the hen can hear the chicks peeping inside the eggs, and will gently cluck to stimulate them to break out of their shells. The chick begins by "pipping"; pecking a breathing hole with its egg tooth towards the blunt end of the egg, usually on the upper side. It will then rest for some hours, absorbing the remaining egg yolk and withdrawing the blood supply from the membrane beneath the shell (used earlier for breathing through the shell). It then enlarges the hole, gradually turning round as it goes, and eventually severing the blunt end of the shell completely to make a lid. It crawls out of the remaining shell, and its wet down dries out in the warmth of the nest.

The hen will usually stay on the nest for about two days after the first egg hatches, and during this time the newly hatched chicks live off the egg yolk they absorb just before hatching. Any eggs not fertilized by a rooster will not hatch, and the hen eventually loses interest in these and



Chicken eggs vary in color depending on the hen, typically ranging from bright white to shades of brown and even blue, green, and recently reported purple (found in South Asia) (Araucana varieties).



Earliest gestation stages and blood circulation of a chicken embryo

leaves the nest. After hatching, the hen fiercely guards the chicks, and will brood them when necessary to keep them warm, at first often returning to the nest at night. She leads them to food and water; she will call them to edible items, but seldom feeds them directly. She continues to care for them until they are several weeks old, when she will gradually lose interest and eventually start to lay again.

Modern egg-laying breeds rarely go broody, and those that do often stop part-way through the incubation. However, some "utility" (general purpose) breeds, such as the Cochin, Cornish and Silkie, do regularly go broody, and they make excellent mothers, not only for chicken eggs but also for those of other species—even those with much smaller or larger eggs and different incubation periods, such as quail, pheasants, turkeys or geese. Chicken eggs can also be hatched under a broody duck, with varied success.



A day-old chick

Poultry farming

Main article: Poultry farming

More than 50 billion chickens are reared annually as a source of food, for both their meat and their eggs. Chickens farmed for meat are called broiler chickens, whilst those farmed for eggs are called egg-laying hens. In total, the UK alone consumes over 29 million eggs per day. Some hens can produce over 300 eggs per year. Chickens will naturally live for 6 or more years, but broiler chickens typically take less than six weeks to reach slaughter size. For laying hens, they are slaughtered after about 12 months, when the hens' productivity starts to decline, by which point they are normally infirm and have lost a significant amount of their feathers, and their life expectancy has been reduced from around 7 years to less than 2 years.^[28]

The vast majority of poultry are raised using intensive farming techniques. According to the Worldwatch Institute, 74 percent of the world's poultry meat, and 68 percent of eggs are produced this way. One alternative to intensive poultry farming is free range farming.

Friction between these two main methods has led to long term issues of ethical consumerism. Opponents of intensive farming argue that it harms the environment, creates human health risks and is inhumane. Advocates of intensive farming say that their highly efficient systems save land and food resources due to increased productivity, stating that the animals are looked after in state-of-the-art environmentally controlled facilities.

In part due to the conditions on intensive poultry farms and recent recalls of large quantities of eggs, there is a growing movement for



Egg-laying chicken 5 days out of battery cage Note typical pale comb



small scale micro-flocks or 'backyard chickens'. This involves keeping small numbers of hens (usually no more than a dozen), in suburban or urban residential areas to control bugs, utilize chicken waste as fertilizer in small gardens, and of course for the high-quality eggs and meat that are produced.

Artificial incubation

Incubation can successfully occur artificially in machines that provide the correct, controlled environment for the developing chick.^{[29][30][31][32]} The average incubation period for chickens is 21 days but may depend on the temperature and humidity in the incubator. Temperature regulation is the most critical factor for a successful hatch. Variations of more than 1 °F (1.8 °C) from the optimum temperature of 99.5 °F (37.5 °C) will reduce hatch rates. Humidity is also important because the rate at which eggs lose water by evaporation depends on the ambient relative humidity. Evaporation can be assessed by candling, to view the size of the air sac, or by measuring weight loss. Relative humidity should be increased to around 70% in the last three days of incubation to keep the membrane around the hatching chick from drying out after the chick cracks the shell. Lower humidity is usual in the first 18 days to ensure adequate evaporation. The position of the eggs in the incubator can also influence hatch rates. For best results, eggs should be placed with the pointed ends down and turned regularly (at least three times per day) until one to three days before hatching. If the eggs aren't turned, the embryo inside may stick to the shell and may hatch with physical defects. Adequate ventilation is necessary to provide the embryo with oxygen. Older eggs require increased ventilation.

Many commercial incubators are industrial-sized with shelves holding tens of thousands of eggs at a time, with rotation of the eggs a fully automated process. Home incubators are boxes holding from half a dozen to 75 eggs; they are usually electrically powered, but in the past some were heated with an oil or paraffin lamp.

Chicken eggs as food

Main articles: Egg (food) and List of egg dishes

Chicken eggs are widely used in many types of dishes, both sweet and savory, including many baked goods. Eggs can be scrambled, fried, hard-boiled, soft-boiled, pickled, and poached. The albumen, or egg white, contains protein but little or no fat, and can be used in cooking separately from the yolk. Egg whites may be aerated or whipped to a light, fluffy consistency and are often used in desserts such as meringues and mousse. Ground egg shells are sometimes used as a food additive to deliver calcium. Some people prefer to just have a female, and raise it for the eggs.



A free range rooster on a farm



An egg incubator.



Brown chicken eggs.

Chickens as food

Main article: Chicken (food)

The meat of the chicken, also called "chicken", is a type of poultry meat. Because of its relatively low cost, chicken is one of the most used meats in the world. Nearly all parts of the bird can be used for food, and the meat can be cooked in many different ways. Popular chicken dishes include roasted chicken, fried chicken, chicken soup, Buffalo wings, tandoori chicken, butter chicken, and chicken rice. Chicken is also a staple of many fast food restaurants.

Chickens as pets

Main article: Chickens as pets

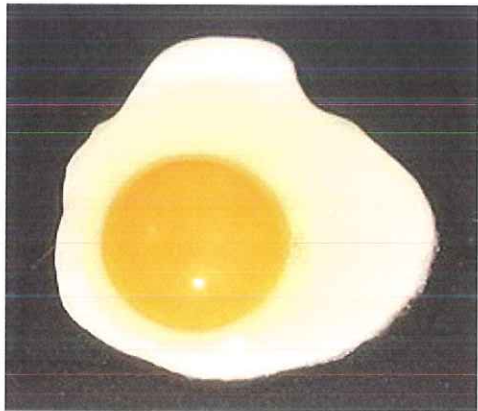
Chickens are sometimes kept as pets and can be tamed by hand feeding, but roosters can sometimes become aggressive and noisy, although aggression can be curbed with proper handling. Some have advised against keeping them around very young children. Certain breeds, however, such as silkies and many bantam varieties are generally docile and are often recommended as good pets around children with disabilities.^[33] Some people find chickens' behaviour entertaining and educational.^[34]

Chicken diseases and ailments

Chickens are susceptible to several parasites, including lice, mites, ticks, fleas, and intestinal worms, as well as other diseases. Despite the name, they are not affected by chickenpox, which is generally restricted to humans.^[35]

Some of the common diseases that affect chickens are shown below:

Name	Common Name	Caused by
Aspergillosis		fungi
Avian influenza	bird flu	virus
Histomoniasis	Blackhead disease	protozoal parasite
Botulism		toxin
Cage Layer Fatigue		mineral deficiencies,



A fried chicken egg, "sunny side up".



Roasted chicken.

Cage Layer Fatigue		lack of exercise
Campylobacteriosis		tissue injury in the gut
Coccidiosis		parasites
Colds		virus
Crop Bound (http://www.budgie-parakeets.com/cropbound.html)		improper feeding
Dermanyssus gallinae	Red mite	parasite
Egg bound		oversized egg
Erysipelas		bacteria
Fatty Liver Hemorrhagic Syndrome		high-energy food
Fowl Cholera (http://www.michigan.gov/dnr/0,1607,7-153-10370_12150_12220-26650--,00.html)		bacteria
Fowl pox		virus
Fowl Typhoid (http://epix.hazard.net/topics/animal/ftyphoid.htm)		bacteria
Gallid herpesvirus 1 or Infectious Laryngotracheitis		virus
Gapeworm	Syngamus trachea	worms
Infectious Bronchitis (http://edis.ifas.ufl.edu/PS039)		virus
Infectious Bursal Disease	Gumboro	virus
Infectious Coryza (http://www.peafowl.org/ARTICLES/15/)		bacteria
Lymphoid leukosis		Avian leukosis virus
Marek's disease		virus
Moniliasis	Yeast Infection or Thrush	fungi
Mycoplasmas		bacteria-like organisms
Newcastle disease		virus
Necrotic Enteritis (http://www.thepoultrysite.com/diseaseinfo/101/necrotic-enteritis)		bacteria
Omphalitis	Mushy chick disease	umbilical cord stump
Peritonitis (http://www.henkeeping.co.uk) ^[36]		Infection in abdomen from egg yolk
Prolapse (http://poultryone.com/articles/feedinghens.html)		
Psittacosis		bacteria
Pullorum	Salmonella	bacteria

Scaly leg		parasites
Squamous cell carcinoma		cancer
Tibial dyschondroplasia		speed growing
Toxoplasmosis		protozoal parasite
Ulcerative Enteritis (http://www.merckvetmanual.com/mvm/index.jsp?cfile=htm/bc/201500.htm)		bacteria
Ulcerative pododermatitis	Bumblefoot	bacteria

Chickens in religion and mythology

In Indonesia the chicken has great significance during the Hindu cremation ceremony. A chicken is considered a channel for evil spirits which may be present during the ceremony. A chicken is tethered by the leg and kept present at the ceremony for its duration to ensure that any evil spirits present during the ceremony go into the chicken and not the family members present. The chicken is then taken home and returns to its normal life.

In ancient Greece, the chicken was not normally used for sacrifices, perhaps because it was still considered an exotic animal. Because of its valor, the cock is found as an attribute of Ares, Heracles, and Athena. The alleged last words of Socrates as he died from hemlock poisoning, as recounted by Plato, were "Crito, I owe a cock to Asclepius; will you remember to pay the debt?", signifying that death was a cure for the illness of life.

The Greeks believed that even lions were afraid of cocks. Several of Aesop's Fables reference this belief.

In the New Testament, Jesus prophesied the betrayal by Peter: "Jesus answered, 'I tell you, Peter, before the rooster crows today, you will deny three times that you know me.'" (Luke 22:34) Thus it happened (Luke 22:61), and Peter cried bitterly. This made the cock a symbol for both vigilance and betrayal.

Earlier, Jesus compares himself to a mother hen when talking about Jerusalem: "O Jerusalem, Jerusalem, you who kill the prophets and stone those sent to you, how often I have longed to gather your children together, as a hen gathers her chicks under her wings, but you were not willing." (Matthew 23:37; also Luke 13:34).

In many Central European folk tales, the devil is believed to flee at the first crowing of a cock.

In traditional Jewish practice, a kosher animal is swung around the head and then slaughtered on the afternoon before Yom Kippur, the Day of Atonement, in a ritual called kapparos. A chicken or fish is typically used because it is commonly available (and small enough to hold). The sacrifice of the animal is to receive atonement, for the animal symbolically takes on all the person's sins in kapparos. The meat is then donated to the poor. A woman brings a hen for the ceremony, while a man brings a rooster. Although not actually a sacrifice in the biblical sense, the death of the animal reminds the penitent sinner that his or her life is in God's hands.

The Talmud speaks of learning "courtesy toward one's mate" from the rooster. This might refer to the fact that when a rooster finds something good to eat, he calls his hens to eat first.

The chicken is one of the Zodiac symbols of the Chinese calendar. Also in Chinese religion, a cooked chicken as a religious offering is usually limited to ancestor veneration and worship of village deities. Vegetarian deities such as the Buddha are not one of the recipients of such offerings. Under some observations, an offering of chicken is presented with "serious" prayer (while roasted pork is offered during a joyous celebration). In Confucian Chinese Weddings, a chicken can be used as a substitute for one who is seriously ill or not available (e.g. sudden death) to attend the ceremony. A red silk scarf is placed on the chicken's head and a close relative of the absent bride/groom holds the chicken so the ceremony may proceed. However, this practice is rare today.

A cockatrice was supposed to have been born from an egg laid by a rooster, as well as killed by a Rooster's call.

Chickens in history



The Red Junglefowl

An early domestication of chickens in Southeast Asia is probable, since the word for domestic chicken (**manuk*) is part of the reconstructed Proto-Austronesian language (see Austronesian languages). Chickens, together with dogs and pigs, were the domestic animals of the Lapita culture, the first Neolithic culture of Oceania.

The first pictures of chickens in Europe are found on Corinthian pottery of the 7th century BC. The poet Cratinus (mid-5th century BC, according to the later Greek author Athenaeus) calls the chicken "the Persian alarm". In Aristophanes's comedy *The Birds* (414 BC) a

chicken is called "the Median bird", which points to an introduction from the East. Pictures of chickens are found on Greek red figure and black-figure pottery.

In ancient Greece, chickens were still rare and were a rather prestigious food for symposia. Delos seems to have been a center of chicken breeding.

The Romans used chickens for oracles, both when flying ("ex avibus", Augury) and when feeding ("auspiciu ex tripudiis", Alectryomancy). The hen ("gallina") gave a favourable omen ("auspiciu ratum"), when appearing from the left (Cic., de Div. ii.26), like the crow and the owl.

For the oracle "ex tripudiis" according to Cicero (Cic. de Div. ii.34), any bird could be used, but normally only chickens ("pulli") were consulted. The chickens were cared for by the pullarius, who opened their cage and fed them pulses or a special kind of soft cake when an augury was needed. If the chickens stayed in their cage, made noises ("occinerent"), beat their wings or flew away, the omen was bad; if they ate greedily, the omen was good.

In 249 BC, the Roman general Publius Claudius Pulcher had his chickens thrown overboard when they refused to feed before the battle of Drepana, saying "If they won't eat, perhaps they will drink." He promptly lost the battle against the Carthaginians and 93 Roman ships were sunk. Back in Rome, he was tried for impiety and heavily fined.

In 161 BC, a law was passed in Rome that forbade the consumption of fattened chickens. It was renewed a number of times, but does not seem to have been successful. Fattening chickens with bread soaked in milk was thought to give especially delicious results. The Roman gourmet Apicius offers 17 recipes for chicken, mainly boiled chicken with a sauce. All parts of the animal are used: the recipes include the stomach, liver, testicles and even the pygostyle (the fatty "tail" of the chicken where the tail feathers attach).

The Roman author Columella gives advice on chicken breeding in his eighth book of his treatise on agriculture. He identifies Tanagrian, Rhodic, Chalkidic and Median (commonly misidentified as Melian) breeds, which have an impressive appearance, a quarrelsome nature and were used for cockfighting by the Greeks. For farming, native (Roman) chickens are to be preferred, or a cross between native hens and Greek cocks. Dwarf chickens are nice to watch because of their size but have no other advantages.

Per Columella, the ideal flock consists of 200 birds, which can be supervised by one person if someone is watching for stray animals. White chickens should be avoided as they are not very fertile and are easily caught by eagles or goshawks. One cock should be kept for five hens. In the case of Rhodian and Median cocks that are very heavy and therefore not much inclined to sex, only three hens are kept per cock. The hens of heavy fowls are not much inclined to brood; therefore their eggs are best hatched by normal hens. A hen can hatch no more than 15-23 eggs, depending on the time of year, and supervise no more than 30 hatchlings. Eggs that are long and pointed give more male, rounded eggs mainly female hatchlings.

Per Columella, chicken coops should face southeast and lie adjacent to the kitchen, as smoke is beneficial for the animals. Coops should consist of three rooms and possess a hearth. Dry dust or ash should be provided for dust-baths.

According to Columella, chicken should be fed on barley groats, small chick-peas, millet and wheat bran, if they are cheap. Wheat itself should be avoided as it is harmful to the birds. Boiled ryegrass (*Lolium* sp.) and the leaves and seeds of alfalfa (*Medicago sativa* L.) can be used as well. Grape marc can be used, but only when the hens stop laying eggs, that is, about the middle of November; otherwise eggs are small and few. When feeding grape marc, it should be supplemented with some bran. Hens start to lay eggs after the winter solstice, in warm places around the first of January, in colder areas in the middle of February. Parboiled barley increases their fertility; this should be mixed with alfalfa leaves and seeds, or vetches or millet if alfalfa is not at hand. Free-ranging chickens should receive two cups of barley daily.

Columella advises farmers to slaughter hens that are older than three years, because they no longer produce sufficient eggs.

Capons were produced by burning out their spurs with a hot iron. The wound was treated with potter's chalk.

For the use of poultry and eggs in the kitchens of ancient Rome see Roman eating and drinking.

Chickens were spread by Polynesian seafarers and reached Easter Island in the 12th century AD, where they were the only domestic animal, with the possible exception of the Polynesian Rat (*Rattus exulans*). They were housed in extremely solid chicken coops built from stone.

Chickens in South America

An unusual variety of chicken that has its origins in South America is the *araucana*, bred in southern Chile by Mapuche people. Araucanas, some of which are tailless and some of which have tufts of feathers around their ears, lay blue-green eggs. It has long been suggested that they predate the arrival of European chickens brought by the Spanish and are evidence of pre-Columbian trans-Pacific contacts between Asian or Pacific Oceanic peoples, particularly the Polynesians and South America. In 2007, an international team of researchers reported the results of analysis of chicken bones found on the Arauco Peninsula in south central Chile. Radiocarbon dating suggested that the chickens were Pre-Columbian, and DNA analysis showed that they were related to prehistoric populations of chickens in Polynesia.^[37] These results appeared to confirm that the chickens came from Polynesia and that there were transpacific contacts between Polynesia and South America before Columbus's arrival in the Americas.^[38]

However, a later report looking at the same specimens concluded:

A published, apparently pre-Columbian, Chilean specimen and six pre-European Polynesian specimens also cluster with the same European/Indian subcontinental/Southeast Asian sequences, providing no support for a Polynesian introduction of chickens to South America. In contrast, sequences from two archaeological sites on Easter Island group with an uncommon haplogroup from Indonesia, Japan, and China and may represent a genetic signature of an early Polynesian dispersal. Modeling of the potential marine carbon contribution to the Chilean archaeological specimen casts further doubt on claims for pre-Columbian chickens, and definitive proof will require further analyses of ancient DNA sequences and radiocarbon and stable isotope data from archaeological excavations within both Chile and Polynesia.^[39]

See also

- Bantam (poultry)
- Chicken fat
- Chicken hypnotism
- Chicken or the egg
- Chickenpox
- Chook raffle - a type of raffle where the prize is a chicken.
- Feral chicken
- Gamebird hybrids - hybrids between chickens, peafowl, guineafowl and pheasants
- List of chicken breeds
- Rubber chicken
- Symbolic chickens
- Tastes like chicken
- "Why did the chicken cross the road?"



Chicks before their first outing

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